

AN ORDINANCE

Amending Chapter 10-800 of The Philadelphia Code, entitled “Safety,” by adding a new section to make police interactions with gun owners safer by including duties and penalties for individuals stopped by law enforcement officers who are licensed or exempted to carry a concealed firearm and are in possession of a firearm; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 10-800 of The Philadelphia Code, entitled “Safety,” is hereby amended by adding a new Section 10-842 to read as follows:

§ 10-842. Proper Conduct During Encounters with Police.

Stops by law enforcement officials are inherently more dangerous when the individual stopped is in possession of a firearm. To better ensure the safety of both the individual and law enforcement officers, the following shall apply:

1. An individual licensed to carry a concealed firearm who is stopped by a law enforcement officer (traffic stop or otherwise) while in possession of a firearm shall immediately disclose to the law enforcement officer that he or she is carrying a concealed firearm either on their person or in their motor vehicle.

2. An individual licensed to carry a concealed firearm shall have the license in his or her possession whenever he or she is carrying a concealed firearm.

3. Upon lawful request by a law enforcement officer, an individual licensed to carry a concealed firearm shall produce the following to the officer:

- (a) The individual's license to carry a concealed firearm; and*
- (b) The individual's driver license or personal identification card.*

4. An individual claiming an exemption under 18 Pa.C.S. Section 6106(b) (relating to firearms not to be carried without a license) shall upon lawful demand of a law enforcement officer produce satisfactory evidence of his or her qualification for exemption.

5. Penalty. Failure to comply with this section carries the following penalties:

(a) \$1000 fine for first offense.

(b) \$2000 fine and license revocation for good cause pursuant to 18 Pa.C.S. Section 6109(i) (relating to Licenses) for a second or subsequent offense.

6. A firearm carried in violation of numbers 1, 2, or 3 of this section is subject to immediate seizure by a law enforcement officer. If a firearm is seized for failure to possess a license to carry a concealed firearm or personal identification while carrying a concealed firearm:

(a) The individual from whom the firearm is seized shall have 30 days from the date of seizure in which to display their valid license to carry a concealed firearm and their identification to the law enforcement agency that seized the firearm, in which case the firearm shall be returned.

(b) If the individual does not display their valid license to carry a concealed firearm and identification within 30 days of seizure the firearm is subject to forfeiture.

Section 2. This ordinance is effective immediately.

Explanation:

Italics indicate new matter added.