
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1057 Session of
2005

INTRODUCED BY MAITLAND, J. EVANS, CORRIGAN, BENNINGHOFF,
CALTAGIRONE, CAPPELLI, CASORIO, CLYMER, CRAHALLA, DENLINGER,
DERMODY, FAIRCHILD, GEIST, HARRIS, HERMAN, HESS, HUTCHINSON,
KAUFFMAN, M. KELLER, MANN, PALLONE, PHILLIPS, ROHRER,
SAINATO, B. SMITH AND WANSACZ, MARCH 21, 2005

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, MARCH 21, 2005

AN ACT

1 Providing for the issuance of identification cards for retired
2 law enforcement officers; and providing for the powers and
3 duties of law enforcement agencies and the Pennsylvania State
4 Police.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Retired Law
9 Enforcement Identification Act.

10 Section 2. Legislative findings.

11 The General Assembly finds as follows:

12 (1) On July 22, 2004, the President of the United States
13 signed the Law Enforcement Officers Safety Act of 2004, 18
14 U.S.C. §§ 926B (relating to carrying of concealed firearms by
15 qualified law enforcement officers) and 926C (relating to
16 carrying of concealed firearms by qualified retired law
17 enforcement officers), which authorized certain current and

1 retired law enforcement officers, if they so choose, to carry
2 a concealed firearm.

3 (2) Section 3 of the Law Enforcement Officers Safety Act
4 of 2004, 18 U.S.C. § 926C, requires qualified retired law
5 enforcement officers to have photographic identification
6 identifying them as a retired law enforcement officer.

7 (3) The Law Enforcement Officers Safety Act of 2004
8 requires retired law enforcement officers to maintain an
9 annual qualification with their firearm and possess either
10 identification or a certificate which indicates such
11 qualification.

12 (4) Pennsylvania law does not currently provide for
13 photographic identification of retired law enforcement
14 officers.

15 (5) Pennsylvania law does not currently provide for
16 annual firearms qualification by retired law enforcement
17 officers.

18 (6) It is in the interests of the Commonwealth to
19 establish uniform identification cards and qualification
20 cards for retired law enforcement officers and a method of
21 conducting annual firearms qualifications for such
22 individuals.

23 Section 3. Definitions.

24 The following words and phrases when used in this act shall
25 have the meanings given to them in this section unless the
26 context clearly indicates otherwise:

27 "Certified law enforcement firearm instructor." Any
28 individual who possesses a current police firearms instructor
29 rating from the National Rifle Association, the Pennsylvania
30 State Police, the Municipal Police Officers' Education and

1 Training Program, the Pennsylvania Commission on Crime and
2 Delinquency, the Deputy Sheriffs' Education and Training Board,
3 the Federal Bureau of Investigation, the Smith & Wesson Academy,
4 the Philadelphia Police Academy or the United States Secret
5 Service or other certification approved by the Commissioner of
6 the Pennsylvania State Police.

7 "Commissioner." The Commissioner of the Pennsylvania State
8 Police.

9 "Identification card." A retired law enforcement officer
10 identification card authorized under section 4 (relating to
11 retired law enforcement identification card).

12 "Qualification card." A firearm training and qualification
13 card authorized under section 5 (relating to firearm training
14 and qualification card).

15 Section 4. Retired law enforcement identification card.

16 (a) General rule.--Subject to the payment of the fee, if
17 any, imposed under subsection (c):

18 (1) A law enforcement agency shall provide each officer,
19 upon retirement, with a retired law enforcement
20 identification card.

21 (2) At anytime after a law enforcement officer retires,
22 upon request of the officer, a law enforcement agency shall
23 provide the retired law enforcement officer with a retired
24 law enforcement identification card.

25 (b) Contents.--Identification cards shall be uniform
26 throughout this Commonwealth and on a form prescribed by the
27 commissioner. The identification card shall bear the following:

28 (1) The photograph of the retired law enforcement
29 officer.

30 (2) The name, address, date of birth, race, sex, height,

1 weight, color of hair, color of eyes and signature of the
2 retired law enforcement officer.

3 (3) The signature of the law enforcement officer issuing
4 the identification card.

5 (4) The name, telephone number and address of the law
6 enforcement agency issuing the card.

7 (5) Any other information designated by the
8 commissioner.

9 (c) Fees.--A law enforcement agency may charge a reasonable
10 fee, not to exceed \$15, for each identification card.

11 Section 5. Firearm training and qualification card.

12 (a) General rule.--A retired law enforcement officer shall
13 be eligible for a qualification card if the law enforcement
14 officer either:

15 (1) resides in this Commonwealth; or

16 (2) retired from a law enforcement agency of this
17 Commonwealth or any political subdivision thereof.

18 (b) Contents.--Qualification cards shall be issued to
19 indicate compliance with firearms training and qualification
20 standards. The qualification cards shall be uniform throughout
21 this Commonwealth and on a form prescribed by the commissioner.
22 The qualification card shall bear the following:

23 (1) The name, address, date of birth, race, sex, height,
24 weight, color of hair, color of eyes and signature of the
25 retired law enforcement officer.

26 (2) The date of completion of the most recent firearms
27 training and qualification by the retired law enforcement
28 officer.

29 (3) An expiration date 12 months later than the date of
30 completion under paragraph (2).

1 (4) The name and signature of the certified law
2 enforcement firearms instructor issuing the qualification
3 card.

4 (5) The make and model of any firearm used for firearms
5 training and qualification by the retired law enforcement
6 officer.

7 (6) Any other information designated by the
8 commissioner.

9 Qualification cards shall not contain a photograph of the
10 retired law enforcement officer.

11 (c) Issuing authorization.--Any certified law enforcement
12 firearms instructor may issue a qualification card to a retired
13 law enforcement officer who has met the firearm training or
14 qualification standards of any law enforcement agency in this
15 Commonwealth.

16 (d) Duty of Pennsylvania State Police.--The Pennsylvania
17 State Police shall make available blank qualification cards for
18 use by certified law enforcement firearms instructors and may
19 charge a reasonable fee, not to exceed \$2, for each blank
20 qualification card.

21 Section 6. Construction.

22 Nothing in this act shall be construed to abrogate either the
23 sovereign immunity or governmental immunity of a law enforcement
24 agency pursuant to 42 Pa.C.S. Ch. 85 (relating to matters
25 affecting government units). A retired law enforcement officer
26 shall not be considered an employee of any law enforcement
27 agency in this Commonwealth.

28 Section 7. Effective date.

29 This act shall take effect in 60 days.