

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1340 Session of
1981

INTRODUCED BY ITKIN, IRVIS, MANDERINO, KUKOVICH, MICHLOVIC,
PISTELLA, PRATT, MORRIS, CAWLEY, PERZEL, BELFANTI, ALDEN,
FLECK AND COLAFELLA, APRIL 28, 1981

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 28, 1981

AN ACT

1 Prohibiting certain paramilitary training.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Definitions.

5 The following words and phrases when used in this act shall
6 have, unless the context clearly indicates otherwise, the
7 meanings given to them in this section:

8 "Civil disorder." Any public disturbance involving acts of
9 violence by assemblages of three or more persons, which causes
10 an immediate danger of or results in damage or injury to the
11 property or person of any other individual.

12 "Explosive or incendiary device." Includes:

13 (1) dynamite and all other forms of high explosives;

14 (2) any explosive bomb, grenade, missile or similar
15 device; and

16 (3) any incendiary bomb or grenade, fire bomb or similar
17 device, including any device which:

(i) consists of or includes a breakable container including a flammable liquid or compound and a wick composed of any material which, when ignited, is capable of igniting such flammable liquid or compound; and

(ii) can be carried or thrown by one individual acting alone.

"Firearm." Any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive; or the frame or receiver of any such weapon.

"Law enforcement officer." Any officer or employee of the United States, any state, any political subdivision of a state or the District of Columbia and such term shall specifically include, but shall not be limited to, members of the National Guard, as defined in 10 U.S.C. § 101(9), members of the organized militia of any state or territory of the United States, the Commonwealth of Puerto Rico or the District of Columbia, not included within the definition of National Guard as defined by 10 U.S.C. § 101(9) and members of the Armed Forces of the United States.

Section 2. Prohibited training.

(a) Whoever teaches or demonstrates to any other person the use, application or making of any firearm, explosive or incendiary device or technique capable of causing injury or death to persons, knowing or having reason to know or intending that same will be unlawfully employed for use in, or in furtherance of, a civil disorder commits a misdemeanor and shall, upon conviction thereof, be sentenced to pay a fine not to exceed \$5,000 or to a term of imprisonment not to exceed five years, or both.

(b) Whoever assembles with one or more persons for the

1 purpose of training with, practicing with or being instructed in
2 the use of any firearm, explosive or incendiary device or
3 technique capable of causing injury or death to persons,
4 intending to employ unlawfully the same for use in or in
5 furtherance of a civil disorder commits a misdemeanor and shall,
6 upon conviction thereof, be sentenced to pay a fine not to
7 exceed \$5,000, or to a term of imprisonment not to exceed five
8 years, or both.

9 Section 3. Exemptions.

10 Nothing contained in this act shall make unlawful any act of
11 any law enforcement officer which is performed in the lawful
12 performance of his official duties.

13 Section 4. Effective date.

14 This act shall take effect immediately.