

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1377 Session of
1999

INTRODUCED BY ROONEY, THOMAS, WILLIAMS, DeLUCA, M. COHEN,
L. I. COHEN, COSTA, RAMOS, ROBINSON, STABACK AND TRELLO,
APRIL 26, 1999

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 26, 1999

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, prohibiting the possession of a
3 firearm or other dangerous weapon in a municipal building.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 914. Possession of firearm or other dangerous weapon in
9 municipal building.

10 (a) Offense defined.--A person commits an offense if he:

11 (1) knowingly possesses a firearm or other dangerous
12 weapon in a municipal building or knowingly causes a firearm
13 or other dangerous weapon to be present in a municipal
14 building; or

15 (2) knowingly possesses a firearm or other dangerous
16 weapon in a municipal building with the intent that the
17 firearm or other dangerous weapon be used in the commission
18 of a crime or knowingly causes a firearm or other dangerous

1 weapon to be present in a municipal building with the intent
2 that the firearm or other dangerous weapon be used in the
3 commission of a crime.

4 (b) Grading.--

5 (1) Except as otherwise provided in paragraph (3), an
6 offense under subsection (a)(1) is a misdemeanor of the third
7 degree.

8 (2) An offense under subsection (a)(2) is a misdemeanor
9 of the first degree.

10 (3) An offense under subsection (a)(1) is a summary
11 offense if the person was carrying a firearm under section
12 6106(b) (relating to firearms not to be carried without a
13 license) or 6109 (relating to licenses).

14 (c) Exceptions.--Subsection (a) shall not apply to:

15 (1) The lawful performance of official duties by an
16 officer, agent or employee of the United States, the
17 Commonwealth or a political subdivision who is authorized by
18 law to engage in or supervise the prevention, detection,
19 investigation or prosecution of any violation of law.

20 (2) The carrying of rifles and shotguns by instructors
21 and participants in a course of instruction provided by the
22 Pennsylvania Game Commission under 34 Pa.C.S. § 2704
23 (relating to eligibility for license).

24 (3) Associations of veteran soldiers and their
25 auxiliaries or members of organized armed forces of the
26 United States or the Commonwealth, including reserve
27 components, when engaged in the performance of ceremonial
28 duties with county approval.

29 (d) Posting of notice.--Notice of the provisions of
30 subsection (a) shall be posted conspicuously at each public

1 entrance to each municipal building.

2 (e) Definitions.--As used in this section, the following
3 words and phrases shall have the meanings given to them in this
4 subsection:

5 "Dangerous weapon." No bomb, grenade, blackjack, sandbag,
6 metal knuckles, dagger, knife, the blade of which is exposed in
7 an automatic way by switch, push-button, spring mechanism or
8 otherwise, or other implement for the infliction of serious
9 bodily injury which serves no common lawful purpose.

10 "Firearm." Any weapon, including a starter gun, which will
11 or is designed to expel a projectile or projectiles by the
12 action of an explosion, expansion of gas or escape of gas. The
13 term does not include any device designed or used exclusively
14 for the firing of stud cartridges, explosive rivets or similar
15 industrial ammunition.

16 "Municipal building." Any building owned or leased by a
17 county, city, borough, incorporated town, township or a home
18 rule municipality.

19 Section 2. This act shall take effect in 60 days.