

---

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 682 Session of  
2013

---

INTRODUCED BY HALUSKA, BENNINGHOFF, CALTAGIRONE, FARINA, KORTZ,  
FABRIZIO, D. COSTA, GILLEN, C. HARRIS AND GABLER,  
FEBRUARY 12, 2013

---

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 12, 2013

---

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 53 (Municipalities  
2 Generally) of the Pennsylvania Consolidated Statutes, in  
3 inchoate crimes, further providing for use or possession of  
4 electric or electronic incapacitation device; and, in  
5 municipal police education and training, further providing  
6 for powers and duties of the Municipal Police Officers'  
7 Education and Training Commission.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 908.1(e) of Title 18 of the Pennsylvania  
11 Consolidated Statutes is amended to read:

12 § 908.1. Use or possession of electric or electronic  
13 incapacitation device.

14 \* \* \*

15 (e) Exceptions.--Nothing in this section shall prohibit the  
16 possession or use by, or the sale or furnishing of any electric  
17 or electronic incapacitation device to[, ]:

18 (1) a law enforcement agency, peace officer[, ] or  
19 employee of a correctional institution, county jail or prison  
20 or detention center[, ];

1           (2) the National Guard or reserves or a member of the  
2           National Guard or reserves; or

3           (3) a school administrator or teacher certified in the  
4           use of the electric or electronic incapacitation device by  
5           the Municipal Police Officers' Education and Training  
6           Commission

7 for use in their official duties.

8           \* \* \*

9           Section 2. Section 2164 of Title 53 is amended by adding a  
10 paragraph to read:

11 § 2164. Powers and duties of commission.

12           The powers and duties of the commission shall be as follows:

13           \* \* \*

14           (17) To establish and administer a program to certify  
15           school administrators and teachers in the use of electric and  
16           electronic incapacitation devices as those terms are defined  
17           in 18 Pa.C.S. § 908.1 (relating to use or possession of  
18           electric or electronic incapacitation device).

19           Section 3. This act shall take effect in 60 days.