

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1292 Session of  
1983

INTRODUCED BY DURHAM, OLIVER, TRELLO, CESSAR, DOMBROWSKI, NOYE,  
SALVATORE, COHEN, DONATUCCI, CALTAGIRONE, McVERRY, VAN HORNE,  
McCALL, GREENWOOD, BOYES, PISTELLA, MAIALE, RIEGER, PETRONE,  
ARTY, DEAL, GAMBLE, MAYERNIK, MICHLOVIC, MANDERINO, DAWIDA,  
BELARDI, CAWLEY, FLICK, MILLER, WESTON, BATTISTO, BURD,  
GODSHALL, COLAFELLA, COY, CIVERA, MICOZZIE, LEVIN, O'BRIEN,  
AFFLERBACH, McMONAGLE, EVANS, TRUMAN, RICHARDSON, PERZEL,  
HERMAN, ALDERETTE, DeLUCA, BOOK, SPITZ AND R. C. WRIGHT,  
JUNE 30, 1983

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 30, 1983

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, prohibiting possession, use or  
3 attempted use of certain bullets.

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 § 6121. Certain bullets prohibited.

9 (a) Offense defined.--It is unlawful for any person to  
10 possess, use or attempt to use a KTW teflon-coated bullet or  
11 other armor-piercing ammunition while committing or attempting  
12 to commit a crime of violence as defined in section 6102  
13 (relating to definitions).

14 (b) Grading.--An offense under this section constitutes a  
15 felony of the third degree.

1       (c) Sentencing.--Any person who is convicted in any court of  
2 this Commonwealth of a crime of violence and who uses or  
3 carries, in the commission of that crime, a firearm loaded with  
4 KTW ammunition or any person who violates this section shall, in  
5 addition to the punishment provided for the commission of the  
6 crime, be sentenced to a term of imprisonment for not less than  
7 five years. Notwithstanding any other provision of law, the  
8 court shall not suspend the sentence of any person convicted of  
9 a crime subject to this subsection nor place him on probation  
10 nor shall the term of imprisonment run concurrently with any  
11 other term of imprisonment including that imposed for the crime  
12 in which the KTW ammunition was being used or carried. No person  
13 sentenced under this subsection shall be eligible for parole.

14       (d) Definition.--As used in this section the term "armor-  
15 piercing ammunition" means ammunition which, when or if fired,  
16 from any firearm as defined in section 6102 used or attempted to  
17 be used in violation of subsection (a), under the test procedure  
18 of the National Institute of Law Enforcement and Criminal  
19 Justice Standard for the Ballistics Resistance of Police Body  
20 Armor promulgated December, 1978, is determined to be capable of  
21 penetrating bullet-resistant apparel or body armor meeting the  
22 requirements of Type IIA of Standard NILECJ-STD-0101.01 as  
23 formulated by the United States Department of Justice and  
24 published in December of 1978.

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