

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2853 Session of
1990

INTRODUCED BY R. C. WRIGHT, RAYMOND, DURHAM, ADOLPH, FLICK,
MICOZZIE, FREIND, CARN, OLIVER, DONATUCCI, RIEGER, ROEBUCK,
EVANS, RICHARDSON, LINTON, ACOSTA, HUGHES, JAMES AND GANNON,
JULY 1, 1990

REFERRED TO COMMITTEE ON JUDICIARY, JULY 1, 1990

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and
2 Judicial Procedure) of the Pennsylvania Consolidated
3 Statutes, further providing for possession of weapons on
4 school property.

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

7 Section 1. Section 912(b) and (c) of Title 18 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 912. Possession of weapon on school property.

10 * * *

11 (b) Offense defined.--A person commits a [misdemeanor of the
12 first] felony of the third degree if he possesses a weapon in
13 the buildings of, on the grounds of, within 1,000 feet of or in
14 any conveyance providing transportation to or from, any
15 elementary or secondary publicly-funded educational institution,
16 any elementary or secondary private school licensed by the
17 Department of Education or any elementary or secondary parochial
18 school.

1 (c) Defense.--It shall be a defense that:

2 (1) the weapon is possessed and used in conjunction with
3 a lawful supervised school activity or course or is possessed
4 for other lawful purpose; or

5 (2) the weapon is possessed in accordance with section
6 6106(b) (relating to firearms not to be carried without a
7 license).

8 Section 2. Title 42 is amended by adding a section to read:

9 § 9720. Sentences for possession of weapon on school property.

10 A person convicted of an offense under 18 Pa.C.S. § 912
11 (relating to possession of weapon on school property) shall be
12 sentenced to a mandatory minimum fine of \$1,000.

13 Section 3. Section 2 (42 Pa.C.S. § 9720) shall apply to
14 sentences imposed on or after the effective date of this act,
15 regardless of when the offense took place.

16 Section 4. This act shall take effect in 60 days.