

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1696 Session of
1981

INTRODUCED BY NOYE, GEIST, KOWALYSHYN, DORR, HONAMAN, BRANDT,
WACHOB, JACKSON, COLE, BOWSER, COCHRAN, PICCOLA, MORRIS,
VROON, POTT, MERRY, FISCHER, BELFANTI, CIMINI, MADIGAN,
MRKONIC, WOGAN AND WASS, JUNE 23, 1981

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 23, 1981

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 crimes of violence committed
4 with firearms, making an editorial change and providing
5 certain mandatory sentencing provisions for persons
6 committing crimes of violence with deadly weapons.

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

9 Section 1. Sections 6102 and 6119 of Title 18, act of
10 November 25, 1790 (P.L.707, No.230), known as the Pennsylvania
11 Consolidated Statutes, are amended to read:

12 § 6102. Definitions.

13 Subject to additional definitions contained in subsequent
14 provisions of this subchapter which are applicable to specific
15 provisions of this subchapter, the following words and phrases,
16 when used in this subchapter shall have, unless the context
17 clearly indicates otherwise, the meanings given to them in this
18 section:

19 "Firearm." Any pistol or revolver with a barrel less than 12

1 inches, any shotgun with a barrel less than 24 inches, or any
2 rifle with a barrel less than 15 inches.

3 "Crime of violence." Any of the following crimes, or an
4 attempt to commit any of the same, namely: murder, rape,
5 involuntary deviate sexual intercourse, aggravated assault,
6 robbery, burglary, entering a building with intent to commit a
7 crime therein, arson, participation in a riot, intentionally
8 causing a catastrophe, and kidnapping.

9 § 6119. Violation penalty.

10 An offense under this [section] subchapter constitutes a
11 misdemeanor of the first degree.

12 Section 2. Subchapter E of Chapter 97 of Title 42 is amended
13 by adding a section to read:

14 CHAPTER 97

15 SENTENCING

16 * * *

17 SUBCHAPTER E

18 IMPOSITION OF SENTENCE

19 * * *

20 § 9763. Crimes of violence involving deadly weapons.

21 (a) General rule.--Any person who while in possession of a
22 deadly weapon commits or attempts to commit a crime of violence
23 shall be sentenced to serve the maximum sentence provided for
24 such crime and shall not be eligible for parole, probation,
25 suspended sentence or work release.

26 (b) Definitions.--The following words and phrases as used in
27 this section shall have the meanings given them in this
28 subsection unless the context clearly indicates otherwise:

29 "Crime of violence." Crime of violence as defined in 18
30 Pa.C.S § 6102 (relating to definitions).

1 "Deadly weapon." Deadly weapon as defined in 18 Pa.C.S. §
2 2301 (relating to definitions).
3 Section 3. This act shall take effect in 60 days.