

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1254 Session of
1995

INTRODUCED BY SALVATORE, HELFRICK, HART AND BRIGHTBILL,
OCTOBER 17, 1995

REFERRED TO JUDICIARY, OCTOBER 17, 1995

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the offense of
3 possessing instruments of crime.

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

6 Section 1. Section 907 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 907. Possessing instruments of crime.

9 (a) Criminal instruments generally.--A person commits a
10 misdemeanor of the first degree if he possesses any instrument
11 of crime with intent to employ it criminally.

12 (b) Possession of weapon.--A person commits a misdemeanor of
13 the first degree if he possesses a firearm or other weapon
14 concealed upon his person with intent to employ it criminally.

15 (c) Unlawful body armor.--A person commits a felony of the
16 third degree if in the course of the commission of a felony, or
17 in the attempt to commit a felony, he uses or wears body armor
18 or has in his control, custody or possession any body armor.

1 [(c)] (d) Definitions.--As used in this section, the
2 following words and phrases shall have the meanings given to
3 them in this subsection:

4 "Body armor." Any protective covering for the body, or parts
5 thereof, made of any polyaramid fiber or any resin-treated glass
6 fiber cloth or any material, or combination of materials, made
7 or designed to prevent, resist, deflect or deter the penetration
8 thereof by ammunition, knife, cutting or piercing instrument, or
9 any other weapon.

10 "Instrument of crime." Any of the following:

11 (1) Anything specially made or specially adapted for
12 criminal use[; or].

13 (2) [anything] Anything commonly used for criminal
14 purposes and possessed by the actor under circumstances not
15 manifestly appropriate for lawful uses it may have.

16 "Weapon." Anything readily capable of lethal use and
17 possessed under circumstances not manifestly appropriate for
18 lawful uses which it may have. The term includes a firearm which
19 is not loaded or lacks a clip or other component to render it
20 immediately operable, and components which can readily be
21 assembled into a weapon.

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