

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 617

Session of
1981

INTRODUCED BY PITTS, LAUGHLIN, KOLTER, GRAY, NOYE, HASAY, HAYES,
GEORGE, DeVERTER, MERRY, PHILLIPS, GAMBLE, PUNT AND
CUNNINGHAM, FEBRUARY 18, 1981

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 16, 1981

AN ACT

Amending the act of July 1, 1937 (P.L.2681, No.537), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines, and prescribing permit fees; and providing penalties," exempting the storage of certain explosives from regulation by the department and requiring certain quantities of explosives in commercial establishments to be stored in specified magazines and imposing a penalty.

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

Section 1. The act of July 1, 1937 (P.L.2681, No.537), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines, and prescribing permit fees; and providing penalties," is amended by adding sections to read:

Section 10.1. (a) ~~Commercially~~ POSSESSION AND STORAGE OF
COMMERCIALLY manufactured black powder in quantities not to
exceed fifty pounds, percussion caps, safety and pyrotechnic
fuses, quills, quick and slow matches, and friction primers,
intended to be used solely for sporting, recreational, cultured

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purposes in antique firearms or antique devices as defined in section 921(a)(16) of Title 18 of the United States Code shall be exempt from regulation by the Department of Environmental Resources.

(b) Smokeless powder, primers used for reloading rifle or pistol cartridges, shot shells, percussion caps and smokeless propellants intended for personal use shall be exempt from regulation by the Department of Environmental Resources.

(c) The quantity and distance for unbarricaded magazines for the storage of black powder in quantities not to exceed one thousand pounds shall be in accordance with Federal regulations.

(d) The Department of Environmental Resources may adopt regulations with respect to the quantity and distance for unbarricaded magazines for the storage of black powder in quantities of one thousand pounds or more.

Section 10.2. (a) Not more than fifty pounds of black powder shall be ~~permitted~~ STORED in a commercial establishment <—
LICENSED TO STORE EXPLOSIVES BY THE FEDERAL DEPARTMENT OF <—
TREASURY'S BUREAU OF ALCOHOL, TOBACCO AND FIREARMS. It shall be stored in a Class C magazine which shall be mounted on wheels for easy removal in case of fire. The magazine shall be located in close proximity to an outside door.

(b) Any person violating the provisions of this section shall be guilty of a summary offense.

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