

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1340 Session of 1985

INTRODUCED BY DAWIDA, COHEN, PISTELLA, JOSEPHS, MRKONIC, STABACK, RUDY, COLAFELLA, HUTCHINSON AND RICHARDSON, JUNE 3, 1985

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES, NOVEMBER 12, 1985

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, imposing a moratorium on the use of a <—
3 stun gun. DESIGNATING AND REGULATING A STUN GUN AS A FIREARM. <—

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

6 Section 1. SECTION 6102 OF Title 18 of the Pennsylvania <—
7 Consolidated Statutes is amended by adding a section to read: <—

8 ~~§ 908.1. Moratorium on use of stun guns.~~ <—

9 ~~(a) General rule. Stun guns are currently not approved by
10 any Federal regulatory agency. In consideration of the possible
11 harm that could be inflicted by the use of this weapon, until
12 guidelines for safe and restricted use can be implemented, a
13 six month moratorium on the use of a stun gun is imposed.~~

14 ~~(b) Definition. As used in this section the term "stun gun"
15 means a hand held device capable of pumping electric charges
16 into individuals. The purpose of this weapon is to momentarily
17 stun, knock out or paralyze an individual by passing an~~

1 ~~electrical shock to the individual. One common model is known as~~
2 ~~the Nova XR 5000.~~

3 ~~(c) Exemption. This section shall not apply to any police~~
4 ~~department, including the Pennsylvania State Police, if such~~
5 ~~police department has been using the stun gun on or before the~~
6 ~~effective date of this section.~~

7 ~~(d) Expiration. This section shall expire six months from~~
8 ~~the effective date of this section.~~

9 § 6102. DEFINITIONS. ←

10 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT
11 PROVISIONS OF THIS SUBCHAPTER WHICH ARE APPLICABLE TO SPECIFIC
12 PROVISIONS OF THIS SUBCHAPTER, THE FOLLOWING WORDS AND PHRASES,
13 WHEN USED IN THIS SUBCHAPTER SHALL HAVE, UNLESS THE CONTEXT
14 CLEARLY INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS
15 SECTION:

16 "FIREARM." ANY PISTOL OR REVOLVER WITH A BARREL LESS THAN 12
17 INCHES, A STUN GUN, ANY SHOTGUN WITH A BARREL LESS THAN 24
18 INCHES, OR ANY RIFLE WITH A BARREL LESS THAN 15 INCHES.

19 "CRIME OF VIOLENCE." ANY OF THE FOLLOWING CRIMES, OR AN
20 ATTEMPT TO COMMIT ANY OF THE SAME, NAMELY: MURDER, RAPE,
21 AGGRAVATED ASSAULT, ROBBERY, BURGLARY, ENTERING A BUILDING WITH
22 INTENT TO COMMIT A CRIME THEREIN, AND KIDNAPPING.

23 Section 2. This act shall take effect immediately.