

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 713 Session of  
1991

INTRODUCED BY TANGRETTI, MAYERNIK, HERMAN, MARKOSEK, MARSICO,  
JOHNSON, GEIST, NAILOR, ITKIN, KUKOVICH, FAIRCHILD, SCHEETZ,  
CAPPABIANCA, FLEAGLE, E. Z. TAYLOR, BATTISTO, NOYE, CARLSON,  
PESCI, ROBINSON, SCHULER, M. N. WRIGHT, MELIO, JOSEPHS,  
DALEY, COY, VEON, TRELLO, KOSINSKI, HAGARTY, GIGLIOTTI,  
KRUSZEWSKI, BELARDI, OLASZ, MIHALICH, STURLA, SAURMAN,  
STABACK, STAIRS, PRESTON, CIVERA, FARGO, MICHLOVIC AND STISH,  
MARCH 13, 1991

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 13, 1991

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, prohibiting the possession of a  
3 firearm or other dangerous weapon in a court facility.

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

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

8 § 913. Possession of firearm or other dangerous weapon in court  
9 facility.

10 (a) Offense defined.--A person commits an offense if he:

11 (1) knowingly possesses a firearm or other dangerous  
12 weapon in a court facility or knowingly causes a firearm or  
13 other dangerous weapon to be present in a court facility; or

14 (2) knowingly possesses a firearm or other dangerous  
15 weapon in a court facility with the intent that the firearm

1 or other dangerous weapon be used in the commission of a  
2 crime or knowingly causes a firearm or other dangerous weapon  
3 to be present in a court facility with the intent that the  
4 firearm or other dangerous weapon be used in the commission  
5 of a crime.

6 (b) Grading.--

7 (1) Except as otherwise provided in paragraph (3), an  
8 offense under subsection (a)(1) is a misdemeanor of the third  
9 degree.

10 (2) An offense under subsection (a)(2) is a misdemeanor  
11 of the first degree.

12 (3) An offense under subsection (a)(1) is a summary  
13 offense if the person was carrying a firearm pursuant to  
14 section 6106(b) (relating to firearms not to be carried  
15 without license) or section 6109 (relating to licenses) and  
16 failed to check the firearm under subsection (e) prior to  
17 entering the court facility.

18 (c) Exceptions.--Subsection (a) shall not apply:

19 (1) To the lawful performance of official duties by an  
20 officer, agent or employee of the United States, the  
21 Commonwealth or a political subdivision who is authorized by  
22 law to engage in or supervise the prevention, detection,  
23 investigation or prosecution of any violation of law.

24 (2) To the lawful performance of official duties by a  
25 court official.

26 (d) Posting of notice.--Notice of the provisions of  
27 subsection (a) shall be posted conspicuously at each public  
28 entrance to each courthouse or other building containing a court  
29 facility and each court facility, and no person shall be  
30 convicted of an offense under subsection (a) with respect to a

1 court facility if the notice was not so posted at the courthouse  
2 or other building containing a court facility and at the court  
3 facility, unless the person had actual notice of the provisions  
4 of subsection (a).

5 (e) Facilities for checking firearms.--Each county shall  
6 make available at or near the main entrance to the courthouse,  
7 lockers or similar facilities for the temporary checking of  
8 firearms by persons carrying firearms pursuant to section  
9 6106(b) or 6109.

10 (f) Definitions.--As used in this section, the following  
11 words and phrases shall have the meanings given to them in this  
12 subsection:

13 "Court facility." The courtroom of a court of record; a  
14 courtroom of a community court; the courtroom of a district  
15 justice; a courtroom of the Philadelphia Municipal Court; a  
16 courtroom of the Pittsburgh Magistrates Court; a courtroom of  
17 the Traffic Court of Philadelphia; judge's chambers; witness  
18 room; jury deliberation rooms; attorney conference rooms;  
19 prisoner holding cells; offices of court clerks, the district  
20 attorney, the sheriff and probation and parole officers; and any  
21 adjoining corridors.

22 "Dangerous weapon." A bomb, grenade, blackjack, sandbag,  
23 metal knuckles, dagger, knife, razor or cutting instrument, the  
24 blade of which is exposed in an automatic way by switch, push-  
25 button, spring mechanism, or otherwise, or other implement for  
26 the infliction of serious bodily injury which serves no common  
27 lawful purpose.

28 "Firearm." Any weapon, including a starter gun, which will  
29 or is designed to expel a projectile or projectiles by the  
30 action of an explosion, expansion of gas or escape of gas. Such

1 term shall not include any device designed or used exclusively  
2 for the firing of stud cartridges, explosive rivets or similar  
3 industrial ammunition.

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