

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

**HOUSE BILL****No. 342** Session of  
2001

---

INTRODUCED BY BIRMELIN, ARMSTRONG, BARRAR, BASTIAN, BELARDI, BELFANTI, CALTAGIRONE, CLARK, CLYMER, L. I. COHEN, M. COHEN, COLEMAN, CORRIGAN, COY, DALEY, EGOLF, FRANKEL, HENNESSEY, HERMAN, LEH, LYNCH, MARSICO, McCALL, METCALFE, R. MILLER, MUNDY, NAILOR, NICKOL, ORIE, PISTELLA, READSHAW, ROHRER, ROSS, SAINATO, SATHER, SAYLOR, SCHRODER, SHANER, SOLOBAY, STABACK, SURRA, E. Z. TAYLOR, TIGUE, WILT, WOGAN, WOJNAROSKI, ZUG AND BROWNE, JANUARY 31, 2001

---

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVE,  
APRIL 4, 2001

---

## AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for weapons or  
3 implements for escape.

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

6 Section 1. Section 5122(a) of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 5122. Weapons or implements for escape.

9 (a) Offenses defined.--

10 (1) [A] EXCEPT AS SET FORTH IN PARAGRAPH (1.1), A person ←  
11 commits a misdemeanor of the first degree if he unlawfully  
12 [introduces within a detention facility, correctional  
13 institution or mental hospital, or unlawfully provides an  
14 inmate thereof with any weapon, tool, implement, or other  
15 thing which may be used for escape.] and knowingly,

1 intentionally OR recklessly ~~or negligently~~ introduces within <—  
2 a detention facility, correctional institution or mental  
3 hospital, or provides to an inmate thereof, a weapon, tool,  
4 implement or other thing which may be used for escape.

5 (1.1) AN EMPLOYEE OF A DETENTION FACILITY, CORRECTIONAL <—  
6 INSTITUTION OR MENTAL HOSPITAL COMMITS A MISDEMEANOR OF THE  
7 FIRST DEGREE IF HE UNLAWFULLY AND KNOWINGLY, INTENTIONALLY,  
8 RECKLESSLY OR NEGLIGENTLY INTRODUCES WITHIN A DETENTION  
9 FACILITY, CORRECTIONAL INSTITUTION OR MENTAL HOSPITAL, OR  
10 PROVIDES TO AN INMATE THEREOF, A WEAPON, TOOL, IMPLEMENT OR  
11 OTHER THING WHICH MAY BE USED FOR ESCAPE.

12 (2) An inmate commits a misdemeanor of the first degree  
13 if he unlawfully procures, makes or otherwise provides  
14 himself with, or unlawfully has in his possession or under  
15 his control, any weapon, tool, implement or other thing which  
16 may be used for escape.

17 \* \* \*

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