

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1172 Session of 2007

INTRODUCED BY ROBBINS, SCARNATI, WAUGH, LAVALLE, ARMSTRONG, FERLO, FOLMER, FONTANA, GORDNER, KASUNIC, LOGAN, RAFFERTY, REGOLA, RHOADES, D. WHITE, M. WHITE, WONDERLING, WOZNIAK AND STACK, NOVEMBER 30, 2007

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 7, 2008

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, further providing, in provisions
3 relating to the Governor and disaster emergencies, for
4 general authority of the Governor.

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

7 Section 1. Section 7301(f)(8) of Title 35 of the
8 Pennsylvania Consolidated Statutes is amended and the section is
9 amended by adding a subsection SUBSECTIONS to read: <—

10 § 7301. General authority of Governor.

11 * * *

12 (f) Additional powers.--In addition to any other powers
13 conferred upon the Governor by law, the Governor may:

14 * * *

15 (8) Suspend or limit the sale, dispensing or
16 transportation of alcoholic beverages, [firearms,] explosives

1 and combustibles.

2 ~~(g) Construction. Nothing in this section shall be~~ <—
3 ~~construed to authorize the seizure, taking or confiscation of~~
4 ~~lawfully possessed firearms or ammunition.~~

5 (G) LIMITATION ON SEIZURE OF FIREARMS, FIREARM ACCESSORIES <—
6 AND AMMUNITION.--NOTWITHSTANDING ANY PROVISION OF LAW TO THE
7 CONTRARY, A LAWFULLY POSSESSED FIREARM, FIREARM ACCESSORY OR
8 AMMUNITION SHALL NOT BE CONFISCATED, SEIZED OR FORFEITED UNLESS
9 SUCH CONFISCATION, SEIZURE OR FORFEITURE WOULD BE AUTHORIZED IF
10 AN EMERGENCY DID NOT EXIST.

11 (H) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
12 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
13 SUBSECTION:

14 "ACCESSORY." ANY SCOPE, SIGHT, BIPOD, SLING, LIGHT,
15 MAGAZINE, CLIP OR OTHER RELATED ITEM THAT IS ATTACHED TO OR
16 NECESSARY FOR THE OPERATION OF A FIREARM.

17 "FIREARM." THE TERM INCLUDES ANY WEAPON THAT IS DESIGNED TO
18 OR MAY READILY BE CONVERTED TO EXPEL ANY PROJECTILE BY THE
19 ACTION OF AN EXPLOSIVE OR THE FRAME OR RECEIVER OF ANY WEAPON.

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