

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1013 Session of
2022

INTRODUCED BY STREET, FONTANA AND COLLETT, JANUARY 11, 2022

REFERRED TO JUDICIARY, JANUARY 11, 2022

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in general provisions, further
3 providing for definitions; in inchoate crimes, further
4 providing for prohibited offensive weapons and for possession
5 of firearm or other dangerous weapon in court facility; and,
6 in firearms and other dangerous articles, providing for
7 limitation on regulation of knives.

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

10 Section 1. Section 103 of Title 18 of the Pennsylvania
11 Consolidated Statutes is amended by adding a definition to read:

12 § 103. Definitions.

13 Subject to additional definitions contained in subsequent
14 provisions of this title which are applicable to specific
15 provisions of this part, the following words and phrases when
16 used in this title shall have, unless the context clearly
17 indicates otherwise, the meanings given to them in this section:

18 * * *

19 "Knife." A cutting instrument with a sharpened or pointed
20 blade, including, but not limited to, a dagger or razor.

21 * * *

1 Section 2. Sections 908(c) and 913(f) of Title 18 are
2 amended to read:

3 § 908. Prohibited offensive weapons.

4 * * *

5 (c) Definitions.--As used in this section, the following
6 words and phrases shall have the meanings given to them in this
7 subsection:

8 "Firearm." Any weapon which is designed to or may readily be
9 converted to expel any projectile by the action of an explosive
10 or the frame or receiver of any such weapon.

11 "Offensive weapons." Any bomb, grenade, machine gun, sawed-
12 off shotgun with a barrel less than 18 inches, firearm specially
13 made or specially adapted for concealment or silent discharge,
14 any blackjack, sandbag, metal knuckles, [dagger, knife, razor or
15 cutting instrument, the blade of which is exposed in an
16 automatic way by switch, push-button, spring mechanism, or
17 otherwise,] any stun gun, stun baton, taser or other electronic
18 or electric weapon or other implement for the infliction of
19 serious bodily injury which serves no common lawful purpose.

20 * * *

21 § 913. Possession of firearm or other dangerous weapon in court
22 facility.

23 * * *

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

27 "Court facility." The courtroom of a court of record; a
28 courtroom of a community court; the courtroom of a magisterial
29 district judge; a courtroom of the Philadelphia Municipal Court;
30 a courtroom of the Pittsburgh Magistrates Court; a courtroom of

1 the Traffic Court of Philadelphia; judge's chambers; witness
2 rooms; jury deliberation rooms; attorney conference rooms;
3 prisoner holding cells; offices of court clerks, the district
4 attorney, the sheriff and probation and parole officers; and any
5 adjoining corridors.

6 "Dangerous weapon." A bomb, any explosive or incendiary
7 device or material when possessed with intent to use or to
8 provide such material to commit any offense, graded as a
9 misdemeanor of the third degree or higher, grenade, blackjack,
10 sandbag, metal knuckles, [dagger, knife (the blade of which is
11 exposed in an automatic way by switch, push-button, spring
12 mechanism or otherwise) or] other implement for the infliction
13 of serious bodily injury which serves no common lawful purpose
14 or knife.

15 "Firearm." Any weapon, including a starter gun, which will
16 or is designed to expel a projectile or projectiles by the
17 action of an explosion, expansion of gas or escape of gas. The
18 term does not include any device designed or used exclusively
19 for the firing of stud cartridges, explosive rivets or similar
20 industrial ammunition.

21 Section 3. Chapter 61 of Title 18 is amended by adding a
22 subchapter to read:

23 SUBCHAPTER E

24 LIMITATION ON REGULATION OF KNIVES

25 Sec.

26 6190. Preemption on regulation of knives and knife-making
27 components.

28 § 6190. Preemption on regulation of knives and knife-making
29 components.

30 This section shall preempt and supersede any ordinance

1 regulating the lawful ownership, transfer or sale, distribution,
2 transportation, receipt or possession of any knife and knife-
3 making components when possessed, carried or transported for
4 purposes not prohibited by the laws of this Commonwealth or
5 otherwise enacted by a political subdivision, and any knife or
6 knife-making components are not subject to further regulation by
7 a political subdivision.

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