

No. 300

AN ACT

SB 1375

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, redefining the offense, defining the word weapon and increasing and extending the penalties.

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

Section 1. As much as relates to section 5122 of the subchapter analysis of Subchapter B of Chapter 51 of Title 18, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, added December 6, 1972 (P.L.1482, No.334), is amended to read:

SUBCHAPTER B
ESCAPE

Sec.

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5122. **[Implements] Weapons or implements** for escape.

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Section 2. Section 5122 of Title 18 of the act, added December 6, 1972 (P.L.1482, No.334), is amended to read:

§ 5122. **[Implements] Weapons or implements** for escape.

(a) **[Offense] Offenses** defined.—

(1) A person commits a misdemeanor of the first degree if he unlawfully introduces within a detention facility, **correctional institution** or mental hospital, or unlawfully provides an inmate thereof with any weapon, tool, **implement**, or other thing which may be used for escape. **[An inmate commits a misdemeanor of the second degree if he unlawfully procures, makes, or otherwise provides himself with, or has in his possession any such implement of escape.]**

(2) **An inmate commits a misdemeanor of the first degree if he unlawfully procures, makes or otherwise provides himself with, or unlawfully has in his possession or under his control, any weapon.**

(3) **An inmate commits a misdemeanor of the second degree if he unlawfully procures, makes or otherwise provides himself with, or unlawfully has in his possession or under his control, any tool, implement or other thing which may be used for escape.**

(b) **[Definition.—] Definitions.—**

(1) As used in this section the word “unlawfully” means surreptitiously or contrary to law, regulation or order of the detaining authority.

(2) **As used in this section the word “weapon” means any implement readily capable of lethal use and shall include any firearm, knife, dagger,**

razor, other cutting or stabbing implement or club, including any item which has been modified or adopted so that it can be used as a firearm, knife, dagger, razor, other cutting or stabbing implement, or club. The word "firearm" includes an unloaded firearm and the unassembled components of a firearm.

Section 3. This act shall take effect immediately.

APPROVED—The 10th day of December, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 300.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large initial "C" and "T".

Secretary of the Commonwealth.