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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1064 Session of  
2021

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INTRODUCED BY BOROWICZ, MILLARD, RYAN, SCHMITT, HAMM, METCALFE,  
KAUFFMAN, ROWE, CAUSER, KNOWLES, GLEIM, JONES, COX, MOUL,  
STRUZZI, SMITH, PENNYCUICK, ZIMMERMAN, GILLEN AND RAPP,  
APRIL 1, 2021

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REFERRED TO COMMITTEE ON JUDICIARY, APRIL 1, 2021

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AN ACT

1 Amending Title 61 (Prisons and Parole) of the Pennsylvania  
2 Consolidated Statutes, in miscellaneous provisions, further  
3 providing for contraband prohibited.

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

6 Section 1. Section 5902(e.1) of Title 61 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 5902. Contraband prohibited.

9 \* \* \*

10 (e.1) Commonwealth employees and county employees.--

11 (1) The following apply:

12 (i) An employee of the Commonwealth employed at or  
13 assigned to a State correctional institution may carry or  
14 store one lawfully owned and transported firearm and  
15 ammunition in a vehicle located at a specified location  
16 outside of the State correctional institution upon  
17 providing advance written notice to the chief

1 administrator of the State correctional institution.

2 (i.1) If a governing body of a county adopts an  
3 ordinance in accordance with this paragraph, a  
4 corrections officer employed by the county at a county  
5 correctional institution may carry or store one lawfully  
6 owned and transported firearm and ammunition in a vehicle  
7 located at a specified location at or outside of the  
8 county correctional institution upon providing advance  
9 written notice to the chief administrator of the county  
10 correctional institution.

11 (ii) If an employee [of the Commonwealth] under  
12 subparagraph (i) or (i.1) carries or stores a firearm and  
13 ammunition under subparagraph (i) or (i.1), the employee  
14 [of the Commonwealth] shall do all of the following:

15 (A) Keep the firearm secured with a trigger lock  
16 or a gun safe.

17 (B) Keep the firearm out of plain sight.

18 (C) Comply with all applicable laws governing  
19 the use, possession and carrying of firearms and  
20 ammunition and all policies of the department or  
21 county correctional institution, as appropriate.

22 (iii) A chief administrator who has received written  
23 notice under subparagraph (i) [from an employee of the  
24 Commonwealth] or (i.1) may deny or revoke the ability of  
25 the employee [of the Commonwealth] to carry or store a  
26 firearm and ammunition under this paragraph in writing.

27 (iv) An employee [of the Commonwealth] under  
28 subparagraph (i) or (i.1) may not carry or store a  
29 firearm under subparagraph (i) or (i.1) if the vehicle  
30 also contains prohibited ammunition suitable for the

1 firearm.

2 (2) The following words and phrases when used in this  
3 subsection shall have the meanings given to them in this  
4 paragraph unless the context clearly indicates otherwise:

5 "Firearm." A pistol or revolver with a barrel length  
6 less than eight inches as determined by measuring from the  
7 muzzle of the barrel to the face of the closed action or  
8 cylinder, whichever is applicable.

9 "Prohibited ammunition." A bullet or projectile which,  
10 if fired from a firearm as defined in 18 Pa.C.S. § 6102  
11 (relating to definitions) under the test procedure of the  
12 National Institute of Justice for the Ballistic Resistance of  
13 Body Armor published July 2008, is determined to be capable  
14 of penetrating bullet-resistant apparel or body armor meeting  
15 the requirements of Type IIIA of Standard NIJ Standard-  
16 0101.06 as formulated by the United States Department of  
17 Justice.

18 \* \* \*

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