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## House of Representatives

Commonwealth of Pennsylvania  
Harrisburg

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## MEMORANDUM

DATE: November 28, 2011  
TO: All House Members  
FROM: Representative Michele Brooks  
SUBJECT: Knife Rights Legislation

In the near future, I am planning to introduce legislation that will amend Title 18 (Crimes Code) to create preemption of knife regulations, similar to those in current law that apply to firearms.

As many of you know, under current law the Commonwealth reserves the right to enact any and all legislation relating to the ownership, possession, transfer or transportation of firearms, ammunition or ammunition components under the preemption clause in §6120 of Title 18. However there is no such corresponding preemption clause related to the ownership, possession, transfer or transportation of knives or knife components. There are many reasons for preemption as it applies to firearms, the most obvious reason being the need for statewide uniformity of laws relating to firearms across the state. A lack of consistency in laws across the state can cause serious issues for individuals in lawful possession of firearms, and the very same reasons should and logically do apply to knives.

Additionally, my legislation will update the current definition of "offensive weapon" to remove language including switchblade in the definition. The intention here is to remove the strict prohibition of switchblades and instead require that the implement must be, "for the infliction of serious bodily injury which serves no common lawful purpose." In other states where switchblades are not strictly prohibited, these implements are used for various lawful purposes. For instance, many first responders use switchblades so they can open a knife quickly with one hand. This can be critical when trying to save someone's life by cutting a seat belt or other obstruction to an injured person. Furthermore, many modern knives without pushbuttons can and are often much faster than switchblades. Numerous states like Arizona, which have never regulated switchblades, have not seen an increase in crime rates in relation to other states with similar demographics. In fact, according to national crime statistics kitchen knives are used in exponentially more crimes than any other type of knife.

If you would like to join me in sponsoring this bill, please contact Michele Musgrave at 783-5008 or [mmusgrav@pahousegop.com](mailto:mmusgrav@pahousegop.com).