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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 699 Session of  
2019

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INTRODUCED BY McCARTER, STURLA, McNEILL, ZABEL, SCHLOSSBERG,  
MULLINS, CALTAGIRONE, FREEMAN, ISAACSON, ULLMAN, DEASY,  
SCHWEYER, McCLINTON, CIRESI, DALEY AND SANCHEZ, MARCH 5, 2019

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REFERRED TO COMMITTEE ON JUDICIARY, MARCH 5, 2019

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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; in assault,  
5 further providing for discharge of a firearm into an occupied  
6 structure; in theft and related offenses, further providing  
7 for definitions; in riot, disorderly conduct and related  
8 offenses, further providing for prohibiting of paramilitary  
9 training; in firearms and other dangerous articles, further  
10 providing for definitions, for persons not to possess, use,  
11 manufacture, control, sell or transfer firearms, for firearms  
12 not to be carried without a license, for prohibited conduct  
13 during emergency, providing for 3-D firearms and further  
14 providing for sale or transfer of firearms, for firearm sales  
15 surcharge, for registration of firearms and for licensing of  
16 dealers.

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

19 Section 1. Section 103 of Title 18 of the Pennsylvania  
20 Consolidated Statutes is amended by adding definitions to read:  
21 § 103. Definitions.

22 Subject to additional definitions contained in subsequent  
23 provisions of this title which are applicable to specific  
24 provisions of this part, the following words and phrases when

1 used in this title shall have, unless the context clearly  
2 indicates otherwise, the meanings given to them in this section:

3 "3-D printed firearm." Any computer or other electronic file  
4 distributed for any firearm or part of a firearm that is  
5 intended or capable of being manufactured or printed by a 3-D  
6 printer.

7 "3-D printer." A computer-driven or otherwise electronic  
8 machine capable of producing a three-dimensional object from a  
9 digital model.

10 \* \* \*

11 Section 2. The definition of "firearm" in section 908(c) of  
12 Title 18 is amended to read:

13 § 908. Prohibited offensive weapons.

14 \* \* \*

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

18 "Firearm." Any weapon, including a 3-D printed firearm,  
19 which is designed to or may readily be converted to expel any  
20 projectile by the action of an explosive or the frame or  
21 receiver of any such weapon.

22 \* \* \*

23 Section 3. The definition of "firearm" in section 2707.1(d)  
24 of Title 18 is amended to read:

25 § 2707.1. Discharge of a firearm into an occupied structure.

26 \* \* \*

27 (d) Definitions.--As used in this section, the following  
28 words and phrases shall have the meanings given to them in this  
29 subsection:

30 "Firearm." Any weapon, including a 3-D printed firearm,

1 which is designed to or may readily be converted to expel any  
2 projectile by the action of an explosion or the frame or  
3 receiver of any such weapon.

4 \* \* \*

5 Section 4. The definition of "firearm" in section 3901 of  
6 Title 18 is amended to read:

7 § 3901. Definitions.

8 Subject to additional definitions contained in subsequent  
9 provisions of this chapter which are applicable to specific  
10 provisions of this chapter, the following words and phrases when  
11 used in this chapter shall have, unless the context clearly  
12 indicates otherwise, the meanings given to them in this section:

13 \* \* \*

14 "Firearm." Any weapon, including a 3-D printed firearm, that  
15 is designed to or may readily be converted to expel any  
16 projectile by the action of an explosive or the frame or  
17 receiver of any such weapon.

18 \* \* \*

19 Section 5. The definition of "firearm" in section 5515(a) of  
20 Title 18 is amended to read:

21 § 5515. Prohibiting of paramilitary training.

22 (a) Definitions.--As used in this section the following  
23 words and phrases shall have the meanings given to them in this  
24 subsection:

25 \* \* \*

26 "Firearm." Any weapon, including a 3-D printed firearm,  
27 which is designed to or may readily be converted to expel any  
28 projectile by the action of an explosive; or the frame or  
29 receiver of any such weapon.

30 \* \* \*

1 Section 6. The definition of "firearm" in section 6102 of  
2 Title 18 is amended to read:

3 § 6102. Definitions.

4 Subject to additional definitions contained in subsequent  
5 provisions of this subchapter which are applicable to specific  
6 provisions of this subchapter, the following words and phrases,  
7 when used in this subchapter shall have, unless the context  
8 clearly indicates otherwise, the meanings given to them in this  
9 section:

10 \* \* \*

11 "Firearm." Any pistol or revolver with a barrel length less  
12 than 15 inches, any shotgun with a barrel length less than 18  
13 inches or any rifle with a barrel length less than 16 inches, or  
14 any pistol, revolver, rifle or shotgun with an overall length of  
15 less than 26 inches. The barrel length of a firearm shall be  
16 determined by measuring from the muzzle of the barrel to the  
17 face of the closed action, bolt or cylinder, whichever is  
18 applicable. The term shall include a 3-D printed firearm.

19 \* \* \*

20 Section 7. Sections 6105(i) and 6106(e)(1) of Title 18 are  
21 amended to read:

22 § 6105. Persons not to possess, use, manufacture, control, sell  
23 or transfer firearms.

24 \* \* \*

25 (i) Firearm.--As used in this section only, the term  
26 "firearm" shall include any weapons, including 3-D printed  
27 firearms, which are designed to or may readily be converted to  
28 expel any projectile by the action of an explosive or the frame  
29 or receiver of any such weapon.

30 \* \* \*

1 § 6106. Firearms not to be carried without a license.

2 \* \* \*

3 (e) Definitions.--

4 (1) For purposes of subsection (b)(3), (4), (5), (7) and  
5 (8), the term "firearm" shall include any weapon, including a  
6 3-D printed firearm, which is designed to or may readily be  
7 converted to expel any projectile by the action of an  
8 explosive or the frame or receiver of the weapon.

9 \* \* \*

10 Section 8. The definition of "firearm" in section 6107(c) of  
11 Title 18 is amended to read:

12 § 6107. Prohibited conduct during emergency.

13 \* \* \*

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

17 \* \* \*

18 "Firearm." The term includes any weapon, including a 3-D  
19 printed firearm, that is designed to or may readily be converted  
20 to expel any projectile by the action of an explosive or the  
21 frame or receiver of any weapon.

22 Section 9. Title 18 is amended by adding a section to read:

23 § 6110.3. 3-D printed firearms.

24 (a) General rule.--No person may use a 3-D printer to create  
25 a firearm or any piece or part of a firearm unless the person  
26 possesses a license to manufacture firearms under 18 U.S.C. §  
27 923(a) (relating to licensing).

28 (b) Serial number.--No person who possesses a license to  
29 manufacture firearms under 18 U.S.C. § 923(a) and uses a 3-D  
30 printer to create a firearm or any piece or part of a firearm

1 may create a firearm or any piece or part of a firearm without  
2 including a manufacturer's number.

3 (c) Penalty.--The following shall apply:

4 (1) A person who violates subsection (a) shall be guilty  
5 of a felony of the third degree.

6 (2) A person who violates subsection (b) shall be guilty  
7 of a felony of the second degree.

8 (d) Definition.--As used in this section, the term "firearm"  
9 shall have the same meaning as in 6105(i) (relating to persons  
10 not to possess, use, manufacture, control, sell or transfer  
11 firearms).

12 Section 10. Sections 6111(f)(1), 6111.2(d), 6111.4 and  
13 6113(d) of Title 18 are amended to read:

14 § 6111. Sale or transfer of firearms.

15 \* \* \*

16 (f) Application of section.--

17 (1) For the purposes of this section only, except as  
18 provided by paragraph (2), "firearm" shall mean any weapon,  
19 including a 3-D printed firearm, which is designed to or may  
20 readily be converted to expel any projectile by the action of  
21 an explosive or the frame or receiver of any such weapon.

22 \* \* \*

23 § 6111.2. Firearm sales surcharge.

24 \* \* \*

25 (d) Definition.--As used in this section only, the term  
26 "firearm" shall mean any weapon, including a 3-D printed  
27 firearm, which is designed to or may readily be converted to  
28 expel any projectile by the action of an explosion or the frame  
29 or receiver of any such weapon.

30 § 6111.4. Registration of firearms.

1 Notwithstanding any section of this chapter to the contrary,  
2 nothing in this chapter shall be construed to allow any  
3 government or law enforcement agency or any agent thereof to  
4 create, maintain or operate any registry of firearm ownership  
5 within this Commonwealth. For the purposes of this section only,  
6 the term "firearm" shall include any weapon, including a 3-D  
7 printed firearm, that is designed to or may readily be converted  
8 to expel any projectile by the action of an explosive or the  
9 frame or receiver of any such weapon.

10 § 6113. Licensing of dealers.

11 \* \* \*

12 (d) Definitions.--For the purposes of this section and  
13 section 6112 (relating to retail dealer required to be licensed)  
14 only unless otherwise specifically provided, the term "firearm"  
15 shall include any weapon, including a 3-D printed firearm, that  
16 is designed to or may readily be converted to expel any  
17 projectile by the action of an explosive or the frame or  
18 receiver of any such weapon.

19 Section 11. This act shall take effect in 60 days.