

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 336 Session of 2023

INTRODUCED BY SANCHEZ, ABNEY, KENYATTA, CIRESI, GIRAL, MADDEN, SCHLOSSBERG, RABB, VITALI, FIEDLER, HOHENSTEIN, PARKER, STURLA, WARREN, KINKEAD, OTTEN, N. NELSON, FRANKEL, CERRATO, SHUSTERMAN, MULLINS, GALLOWAY, SALISBURY, SCOTT, ISAACSON, SAPPEY, KIM, MADSEN, KRAJEWSKI, HOWARD, BRENNAN, BRIGGS, GUENST, CEPEDA-FREYTIZ, BOROWSKI, SCHWEYER, BENHAM, BOYD, DALEY, WAXMAN AND O'MARA, MARCH 13, 2023

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, FEBRUARY 6, 2024

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in firearms and other dangerous
3 articles, prohibiting certain assault weapons.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 6121.1. Certain assault weapons prohibited.

9 (a) Offense defined.--Except as provided in subsection (b),
10 a person may not:

11 (1) Possess, use, control, sell, deliver, transfer or
12 manufacture an assault weapon.

13 (2) Obtain a license for an act under paragraph (1).

14 (b) Exception.--Subsection (a) shall not apply to:

15 (1) A member of the armed forces of the United States,

1 including National Guard and reserve components, a law  
2 enforcement officer or other public safety officer while  
3 performing official duties or traveling to or from an  
4 authorized place of duty if possession of the assault weapon  
5 is authorized under applicable statute, regulation or  
6 military or law enforcement policy.

7 (2) A person authorized under applicable statute,  
8 regulation or military or law enforcement policy to perform  
9 an act under subsection (a)(1) for the purpose of ensuring  
10 that an individual under paragraph (1) obtains an assault  
11 weapon.

12 (3) A person lawfully owning or otherwise possessing an  
13 assault weapon before the effective date of this section.

14 (c) Definitions.--The following words and phrases when used  
15 in this section shall have the meanings given to them in this  
16 subsection unless the context clearly indicates otherwise:

17 "Assault weapon." Any of the following, but not including  
18 any firearm modified to render it permanently inoperable:

19 (1) A selective-fire firearm capable of fully automatic,  
20 semiautomatic or burst fire at the option of the user or a  
21 firearm that has the ability to accept a large-capacity  
22 magazine.

23 ~~(2) Any of the following semiautomatic firearms:~~ <--

24 ~~(i) Algimec AGMi.~~

25 ~~(ii) ArmaLite AR 180.~~

26 ~~(iii) Australian Automatic Arms SAP Pistol.~~

27 ~~(iv) Auto Ordnance Thompson type.~~

28 ~~(v) Avtomat Kalashnikov AK 47 type.~~

29 ~~(vi) Barrett Light Fifty model 82A1.~~

30 ~~(vii) Beretta AR 70.~~

- 1 ~~(viii) Bushmaster Auto Rifle and Auto Pistol.~~
- 2 ~~(ix) Calico models M 900, M 950 and 100 P.~~
- 3 ~~(x) Chartered Industries of Singapore SR 88.~~
- 4 ~~(xi) Colt AR 15 and Sporter.~~
- 5 ~~(xii) Daewoo K 1, K 2, Max 1 and Max 2.~~
- 6 ~~(xiii) Evcom MK IV, MP 9 and MP 45.~~
- 7 ~~(xiv) Fabrique Nationale FN/FAL, FN/LAR or FN/FNC.~~
- 8 ~~(xv) FAMAS MAS 223.~~
- 9 ~~(xvi) Feather AT 9 and Mini AT.~~
- 10 ~~(xvii) Federal XC 900 and XC 450.~~
- 11 ~~(xviii) Franchi SPAS 12 and Law 12.~~
- 12 ~~(xix) Galil AR and ARM.~~
- 13 ~~(xx) Goncez High Tech Carbine and High Tech Long~~
- 14 ~~Pistol.~~
- 15 ~~(xxi) Heckler & Koch HK 91, HK 93, HK 94 and SP 89.~~
- 16 ~~(xxii) Holmes MP 83.~~
- 17 ~~(xxiii) Intratec TEC 9 and Scorpion.~~
- 18 ~~(xxiv) Iver Johnson Enforcer model 3000.~~
- 19 ~~(xxv) MAC 10, MAC 11 and MAC 11 Carbine type.~~
- 20 ~~(xxvi) Ruger Mini 14/5F folding stock model only.~~
- 21 ~~(xxvii) Scarab Skorpion.~~
- 22 ~~(xxviii) SIG 57 AMT and 500 series.~~
- 23 ~~(xxix) Spectre Auto Carbine and Auto Pistol.~~
- 24 ~~(xxx) Springfield Armory BM59, SAR 48 and G 3.~~
- 25 ~~(xxxii) Sterling MK 6 and MK 7.~~
- 26 ~~(xxxiii) Steyr AUG.~~
- 27 ~~(xxxiv) Streetsweeper and Striker 12 revolving~~
- 28 ~~cylinder shotguns.~~
- 29 ~~(xxxv) USAS 12.~~
- 30 ~~(xxxvi) UZI Carbine, Mini UZI Carbine and Pistol.~~

1 ~~(xxxvi) Weaver Arms Nighthawk.~~

2 ~~(xxxvii) Wilkinson "Linda" Pistol.~~

3 ~~(3) A semiautomatic firearm not specifically listed in~~  
4 ~~paragraph (2) that meets any of the following criteria:~~

5 (2) A SEMIAUTOMATIC FIREARM THAT MEETS ANY OF THE  
6 FOLLOWING CRITERIA: <--

7 (i) The firearm is a semiautomatic rifle that has  
8 the ability to accept a detachable magazine and has at  
9 least two of the following:

10 (A) A folding or telescoping stock.

11 (B) A pistol grip that protrudes conspicuously  
12 beneath the action of the weapon.

13 (C) A bayonet mount.

14 (D) A flash suppressor or threaded barrel  
15 designed to accommodate a flash suppressor.

16 (E) A grenade launcher.

17 (ii) The firearm is a semiautomatic pistol that has  
18 the ability to accept a detachable magazine and has at  
19 least two of the following:

20 (A) An ammunition magazine that attaches to the  
21 pistol outside of the pistol grip.

22 (B) A threaded barrel capable of accepting a  
23 barrel extender, flash suppressor, forward handgrip  
24 or silencer.

25 (C) A shroud that is attached to, or partially  
26 or completely encircles, the barrel and that permits  
27 the shooter to hold the firearm with the nontrigger  
28 hand without being burned.

29 (D) A manufactured weight of 50 ounces or more  
30 when the pistol is unloaded.

1                   (E) A semiautomatic version of an automatic  
2                   firearm.

3                   (iii) The firearm is a semiautomatic shotgun that  
4                   has at least two of the following:

5                   (A) A folding or telescoping stock.

6                   (B) A pistol grip that protrudes conspicuously  
7                   beneath the action of the weapon.

8                   (C) A fixed magazine capacity in excess of five  
9                   rounds.

10                   (D) An ability to accept a detachable magazine.

11                   ~~(4)~~ (3) A part or combination of parts designed or       <--  
12                   intended to convert a firearm into an assault weapon or any  
13                   combination of parts from which an assault weapon may be  
14                   rapidly assembled if those parts are in possession or under  
15                   the control of the same person. This paragraph shall not  
16                   apply to unassembled parts or a combination of parts  
17                   possessed by a dealer licensed under this chapter or a person  
18                   employed by that dealer, which are used to repair or service  
19                   a lawfully possessed firearm.

20                   "Large-capacity magazine." A firearm magazine, belt, drum,  
21                   feed strip or similar device that has the capacity of, or can be  
22                   readily restored or converted to accept, more than 10 rounds of  
23                   ammunition but does not include:

24                   (1) A feeding device that has been permanently altered  
25                   so that it cannot accommodate more than 10 rounds of  
26                   ammunition.

27                   (2) A .22 caliber tube ammunition feeding device.

28                   (3) A tubular magazine that is contained in a lever-  
29                   action firearm.

30                   (4) A magazine that is permanently inoperable.

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