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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 48 Session of  
2023

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INTRODUCED BY HUGHES, FONTANA, HAYWOOD, KEARNEY, STREET, KANE,  
SCHWANK, DILLON, COSTA, CAPPELLETTI, TARTAGLIONE AND COMITTA,  
JANUARY 19, 2023

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REFERRED TO JUDICIARY, JANUARY 19, 2023

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

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

22 Section 1. Section 103 of Title 18 of the Pennsylvania  
23 Consolidated Statutes is amended by adding definitions to read:

24 § 103. Definitions.

25 Subject to additional definitions contained in subsequent  
26 provisions of this title which are applicable to specific

1 provisions of this part, the following words and phrases when  
2 used in this title shall have, unless the context clearly  
3 indicates otherwise, the meanings given to them in this section:

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

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

11 \* \* \*

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

14 § 908. Prohibited offensive weapons.

15 \* \* \*

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

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

23 \* \* \*

24 Section 3. The definition of "firearm" in section 913(f) of  
25 Title 18 is amended to read:

26 § 913. Possession of firearm or other dangerous weapon in court  
27 facility.

28 \* \* \*

29 (f) Definitions.--As used in this section, the following  
30 words and phrases shall have the meanings given to them in this

1 subsection:

2 \* \* \*

3 "Firearm." Any weapon, including a starter gun or a 3-D  
4 printed firearm, which will or is designed to expel a projectile  
5 or projectiles by the action of an explosion, expansion of gas  
6 or escape of gas. The term does not include any device designed  
7 or used exclusively for the firing of stud cartridges, explosive  
8 rivets or similar industrial ammunition.

9 Section 4. The definition of "firearm" in section 2702.1(c)  
10 of Title 18 is amended to read:

11 § 2702.1. Assault of law enforcement officer.

12 \* \* \*

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

16 \* \* \*

17 "Firearm." As defined under 42 Pa.C.S. § 9712(e) (relating  
18 to sentences for offenses committed with firearms). The term  
19 includes a 3-D printed firearm.

20 Section 5. The definition of "firearm" in section 2707.1(d)  
21 of Title 18 is amended to read:

22 § 2707.1. Discharge of a firearm into an occupied structure.

23 \* \* \*

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

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

1 \* \* \*

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

4 § 3901. Definitions.

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

10 \* \* \*

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

15 \* \* \*

16 Section 7. The definition of "firearm" in section 5515(a) of  
17 Title 18 is amended to read:

18 § 5515. Prohibiting of paramilitary training.

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

22 \* \* \*

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

27 \* \* \*

28 Section 8. The definition of "firearm" in section 6102 of  
29 Title 18 is amended to read:

30 § 6102. Definitions.

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

7 \* \* \*

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

16 \* \* \*

17 Section 9. Sections 6105(i) and 6106(e)(1) of Title 18 are  
18 amended to read:

19 § 6105. Persons not to possess, use, manufacture, control, sell  
20 or transfer firearms.

21 \* \* \*

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

27 \* \* \*

28 § 6106. Firearms not to be carried without a license.

29 \* \* \*

30 (e) Definitions.--

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

6 \* \* \*

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

9 § 6107. Prohibited conduct during emergency.

10 \* \* \*

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

14 \* \* \*

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

19 Section 11. Title 18 is amended by adding a section to read:

20 § 6110.3. 3-D printed firearms.

21 (a) General rule.--A person may not use a 3-D printer to  
22 create a firearm or any piece or part of a firearm unless the  
23 person possesses a license to manufacture firearms under 18  
24 U.S.C. § 923(a) (relating to licensing).

25 (b) Serial number.--A person who possesses a license to  
26 manufacture firearms under 18 U.S.C. § 923(a) and uses a 3-D  
27 printer to create a firearm or any piece or part of a firearm  
28 may not create a firearm or any piece or part of a firearm  
29 without including a manufacturer's number.

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

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

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

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

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

11          § 6111. Sale or transfer of firearms.

12           \* \* \*

13           (f) Application of section.--

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

19           \* \* \*

20          § 6111.2. Firearm sales surcharge.

21           \* \* \*

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

27          § 6111.4. Registration of firearms.

28           Notwithstanding any section of this chapter to the contrary,  
29           nothing in this chapter shall be construed to allow any  
30           government or law enforcement agency or any agent thereof to

1 create, maintain or operate any registry of firearm ownership  
2 within this Commonwealth. For the purposes of this section only,  
3 the term "firearm" shall include any weapon, including a 3-D  
4 printed firearm, that is designed to or may readily be converted  
5 to expel any projectile by the action of an explosive or the  
6 frame or receiver of any such weapon.

7 § 6113. Licensing of dealers.

8 \* \* \*

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

16 Section 13. The definition of "firearm" in section 6128(f)  
17 of Title 18 is amended to read:

18 § 6128. Abandonment of firearms, weapons or ammunition.

19 \* \* \*

20 (f) Definitions.--As used in this section, the following  
21 words and phrases shall have the meanings given to them in this  
22 subsection unless the context clearly indicates otherwise:

23 \* \* \*

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

28 Section 14. This act shall take effect in 60 days.