
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1966 Session of
2021

INTRODUCED BY ZABEL, SANCHEZ, KIRKLAND, SCHLOSSBERG, HOHENSTEIN,
N. NELSON, D. WILLIAMS, McNEILL, FREEMAN, HANBIDGE, A. DAVIS,
DRISCOLL, ISAACSON, WEBSTER, SIMS, McCLINTON, MADDEN, O'MARA,
WARREN, SCHWEYER, HARRIS, STURLA, OTTEN, CIRESI, KRAJEWSKI,
FITZGERALD, GUENST, KINKEAD AND INNAMORATO, OCTOBER 12, 2021

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 12, 2021

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in firearms and other dangerous
3 articles, providing for firearm and firearm parts without
4 serial numbers.

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

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

9 § 6110.3. Firearm and firearm parts without serial numbers.

10 (a) General Rule.--

11 (1) A person who sells any of the following, separately
12 or as part of a firearm kit, not imprinted with a serial
13 number registered with a Federal firearms licensee, commits a
14 felony of the second degree:

15 (i) A firearm frame or receiver;

16 (ii) A firearm muffler or silencer frame or

17 receiver;

1 (iii) A split or modular firearm frame or receiver;
2 or
3 (iv) A partially complete, disassembled or
4 inoperable firearm frame or receiver.

5 (2) A person who, with the purpose to manufacture or
6 otherwise assemble a firearm and without being registered or
7 licensed to do so under 18 U.S.C. § 923(a) (relating to
8 licensing), purchases or otherwise obtains separately or as
9 part of a firearm kit any of the following which is not
10 imprinted with a serial number registered with a Federal
11 firearms licensee, commits a felony of the second degree:

12 (i) A firearm frame or receiver;

13 (ii) A firearm muffler or silencer frame or
14 receiver;

15 (iii) A split or modular firearm frame or receiver;
16 or

17 (iv) A partially complete, disassembled or
18 inoperable firearm frame or receiver.

19 (3) For the purposes of this section, the sale, purchase
20 or acquisition of a destroyed firearm frame or receiver shall
21 not constitute an offense.

22 (b) Privately made firearms.--

23 (1) A Federal firearm licensee shall:

24 (i) Regarding a privately made firearm which was
25 acquired prior to the effective date of this section and
26 which is still in the possession of the licensee, conduct
27 one of the following within 60 days of the effective date
28 of this section or prior to the date of disposition,
29 whichever is sooner:

30 (A) properly mark the firearm, unless already

1 marked by another licensee;

2 (B) arrange to have another licensee properly
3 mark the firearm on their behalf; or

4 (C) destroy or surrender the firearm to law
5 enforcement.

6 (ii) Regarding a privately made firearm which is
7 acquired by a licensee after the effective date of this
8 section, conduct one of the following within seven days
9 following the date of receipt or other acquisition of the
10 firearm, including from a personal collection or before
11 the date of disposition, whichever is sooner:

12 (A) properly mark the firearm, unless already
13 marked by another licensee;

14 (B) arrange for another Federal firearms
15 licensee to properly mark the firearm; or

16 (C) destroy or surrender the firearm to law
17 enforcement.

18 (iii) Record privately made firearms in the Federal
19 firearms licensee's acquisition and disposition records,
20 whether or not kept overnight and update acquisition
21 entries with information marked on privately made
22 firearms.

23 (2) Federal firearms licensees who are dealers or
24 gunsmiths may not perform repairs, modify, embellish,
25 refurbish or install parts in or on firearms, firearm frames
26 or receivers or other firearm parts for or on behalf of a
27 licensed importer or licensed manufacturer.

28 (3) Federal firearms licensees shall have the right to
29 refuse to accept, purchase, properly mark, perform repairs,
30 modify, embellish, refurbish or install parts in or on any

1 privately made firearms.

2 (4) For the purposes of this subsection, the term
3 "properly mark" shall mean the legible and conspicuous
4 identification of each frame or receiver of a firearm subject
5 to the identification procedures in 27 CFR 478.92 (relating
6 to identification of firearms and armor piercing ammunition
7 by licensed manufacturers and licensed importers).

8 (c) Exemption.--The provisions of subsection (a) shall not
9 apply to a Federal firearms licensee who:

10 (1) Purchases or otherwise obtains a firearm frame or
11 firearm receiver, uses the firearm frame or receiver in the
12 assembly of a firearm and places a serial number on the
13 completed firearm as required under subsection (b).

14 (2) Obtains a privately made firearm for the purpose of
15 marking described in subsection (b).

16 (d) Definitions.--As used in this section, the following
17 words and phrases shall have the meanings given to them in this
18 subsection unless the context clearly indicates otherwise:

19 "Conspicuous." Identification markings that are capable of
20 being easily seen with normal handling of the firearm and
21 unobstructed by other markings when the complete firearm is
22 assembled.

23 "Destroyed firearm frame or receiver." A frame or receiver
24 that has been permanently altered not to provide housing or a
25 structure that may hold or integrate any fire control or
26 essential internal component, is not readily convertible and may
27 not readily be assembled, completed or restored to a functional
28 state. Acceptable methods of destruction include completely
29 melting, crushing or shredding the frame or receiver or
30 completely severing at least three critical areas of the frame

1 or receiver using a cutting torch having a tip of sufficient
2 size to displace at least 1/4 inch of material at each location.

3 "Federal firearms licensee." A dealer, manufacturer or
4 importer who is licensed by the United States Bureau of Alcohol,
5 Tobacco, Firearms and Explosive to engage in the business of
6 manufacturing, importing or dealing in firearms.

7 "Fire control or essential internal component." A component
8 necessary for the firearm to initiate, complete or continue the
9 firing sequence, including a hammer, bolt, bolt carrier,
10 breechblock, cylinder, trigger mechanism, firing pin, striker or
11 slide rails.

12 "Firearm." Any weapon which is designed to or is readily
13 convertible to expel any projectile by the action of an
14 explosive or the frame or receiver of any weapon.

15 "Firearm frame or receiver." A part of a firearm that, when
16 assembled, is visible from the exterior and provides housing or
17 a structure designed to hold or integrate one or more fire
18 control components, including pins, a hammer, bolts, a bolt
19 carrier, breechblock, cylinder, trigger mechanism, firing pin,
20 striker, slide rail or other attachments that are required to
21 connect components to the housing or structure necessary for the
22 firearm to initiate, complete or continue a firing sequence.

23 "Firearm kit." Any collection of most or all of the
24 components, finished or unfinished, necessary to complete a
25 functional firearm within a short period of time. The term
26 includes jigs, templates, instructions, drill bits and tools
27 that allow the purchaser to complete the weapon to a functional
28 state with minimal effort, expertise or equipment.

29 "Firearm muffler or silencer frame or receiver." A part of
30 the firearm that, when the complete device is assembled, is

1 visible from the exterior and provides housing or a structure,
2 including an outer tube or modular piece designed to hold or
3 integrate one or more essential internal components of the
4 device, including a baffle, baffling material or expansion
5 chamber.

6 "Legible." Identification markings that use exclusively
7 Roman letters and Arabic numerals, or solely Arabic numerals,
8 and may include a hyphen.

9 "Partially complete, disassembled or inoperable firearm frame
10 or receiver." A frame or receiver that has reached a stage in
11 manufacture where it may readily be completed, assembled or
12 restored to a functional state or is readily convertible to a
13 functional state. The term includes a forging, casting,
14 printing, extrusion, machined body or similar article that has
15 reached a stage in manufacture where it is clearly identifiable
16 as an unfinished component part of a weapon.

17 "Privately made firearm." A firearm or firearm frame or
18 receiver, assembled or otherwise produced by a person other than
19 a Federal firearms licensee that does not contain a serial
20 number or other identifying markings placed by a Federal
21 firearms licensee at the time the firearm was produced.

22 "Readily convertible." Any object that can be so converted
23 without any special skill on the part of the person converting
24 it and the work involved in converting it does not require
25 equipment or tools other than such as are in common use by
26 persons carrying out works of construction and maintenance in
27 their own homes.

28 "Split or modular firearm frame or receiver." A firearm with
29 more than one part that provides housing or a structure designed
30 to hold or integrate one or more fire control or essential

1 internal components. The term shall include frames or receivers
2 of different weapons that are combined to create a similar
3 weapon with each retaining respective classifications as frames
4 or receivers provided the original design and configuration of
5 the frames or receivers remains unaltered.

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