

Legislation Text

File #: 200593, **Version:** 1

Amending Chapter 10-2000 of The Philadelphia Code, entitled “Use of Three-Dimensional Printer to Manufacture Firearms,” to change the Chapter title, to add definitions, to add additional prohibitions on use of three-dimensional printers, to impose prohibitions relating to the transfer, use, or conversion of unfinished firearms and certain equipment, the manufacture of firearms, and to prescribe additional penalties for violations of this Chapter; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 10-2000 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 10-2000. [USE OF THREE-DIMENSIONAL PRINTER TO] *UNLAWFUL MANUFACTURE OF FIREARMS*

§ 10-2001. Definitions.

(1) *Firearm.* Any item classified as a firearm as defined in 18 Pa. C.S. § 6120(b). [device designed, made or adapted to expel a projectile through a barrel by using the energy generated by an explosive or burning substance or any device readily convertible to that use.]

(2) *Three-dimensional printer.* A computer-driven machine capable of producing a three-dimensional object from a digital model.

(3) *Additive manufacturing.* A manufacturing process in which material is laid down in succession in order to produce the product, including but not limited to three-dimensional printing.

(4) *Unfinished frame or receiver.* A piece of any material that does not constitute a firearm, but that has been shaped or formed in any way for the purpose of becoming the frame or receiver of a firearm.

(5) *Finished frame or receiver.* Any frame or receiver that does not require additional milling or other modification to be capable of expelling a projectile when combined with additional components such as a barrel.

(6) *Firearm finishing mill.* Any computer numerical control mill or other automated device designed to aid the conversion of an unfinished frame or receiver into a finished frame or receiver.

(7) *Firearm finishing jig.* A jig designed to aid the conversion of an unfinished frame or receiver into a finished frame or receiver.

(8) *Firearm finishing device.* Any device, such as a firearm finishing mill or jig, which has as its

primary purpose to aid the conversion of an unfinished frame or receiver into a finished frame or receiver.

(9) Federal firearms licensee. A person who is licensed by the Bureau of Alcohol, Tobacco, Firearms and Explosives to engage in the business of manufacturing, importing or dealing of firearms.

(10) Regulated Items. Unfinished frames or receivers and firearm finishing devices.

§ 10-2002. Restrictions on Possession, Use, Transfer, or Manufacture.

(1) No person, unless licensed to manufacture firearms under federal law, shall:

(a) use a three-dimensional printer to create any firearm, or any piece or part thereof or attachment thereto[, unless such person possesses a license to manufacture firearms under Federal law, 18 U.S.C. § 923(a).];

(b) use any additive manufacturing process in order to produce a firearm; or

(c) convert an unfinished frame or receiver into a finished firearm.

(2) No person shall sell or otherwise transfer a firearm finishing device or an unfinished frame or receiver unless the transferor and transferee are both federal firearms licensees.

(3) No person shall purchase or otherwise accept transfer of a firearm finishing device or an unfinished frame or receiver unless the transferor and transferee are both federal firearms licensees

§ 10-2003. Penalties.

(1) A violation of this Chapter shall be a Class III offense and subject to a fine as set forth in § 1-109 of this Code.

(2) Multiple Prohibited Actions or Regulated Items.

(a) Where conduct prohibited by this Chapter involves multiple prohibited actions, such as manufacturing and transferring, each prohibited action shall constitute a separate violation.

(b) Where a prohibited action involves multiple regulated items, each regulated item involved in the prohibited action shall be considered a separate prohibited action, and shall constitute a separate violation.

§ 10-2004. Criminal Violations.

(1) Any person who commits multiple violations of this Chapter, whether or not on more than one occasion, shall be guilty of a separate offense of Repeat Violation, and for each such Repeat Violation shall be subject to imprisonment for not more than ninety (90) days. A person shall be guilty of a Repeat Violation regardless whether the second or subsequent violation occurs before or after a judicial finding of a first or

previous violation. Each violation, after the first, shall constitute a separate Repeat Violation offense.

(2) Any person who commits a violation of this Chapter with intent to commit a crime is subject to imprisonment of not more than ninety (90) days.

§ 10-2005. Severability.

Each of the provisions of this Chapter are severable, and if any provision or portion thereof is held invalid, the remaining provisions shall not be affected, but shall remain in full force and effect.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.