

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1845 Session of
2007

INTRODUCED BY SABATINA, BLACKWELL, BRENNAN, CRUZ, JAMES,
JOSEPHS, W. KELLER, KENNEY, KIRKLAND, MELIO, MURT,
M. O'BRIEN, PAYTON, PYLE, ROEBUCK, SIPTROTH, K. SMITH,
SWANGER, R. TAYLOR, THOMAS, WATERS AND YOUNGBLOOD,
SEPTEMBER 27, 2007

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 27, 2007

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for possession of
3 firearm with altered manufacturer's number and for altering
4 or obliterating marks of identification.

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

7 Section 1. Sections 6110.2 and 6117 of Title 18 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 6110.2. Possession of firearm with altered manufacturer's
10 number.

11 (a) General rule.--No person shall possess a firearm which
12 has had the manufacturer's number integral to the frame or
13 receiver altered, changed, removed or obliterated.

14 (b) Penalty.--A person who violates this section commits a
15 [misdemeanor] felony of the [first] second degree.

16 (c) Definition.--As used in this section, the term "firearm"
17 shall have the same meaning as that term is defined in section

1 6105(i) (relating to persons not to possess, use, manufacture,
2 control, sell or transfer firearms), except that the term shall
3 not include antique firearms as defined in section 6118
4 (relating to antique firearms).

5 § 6117. Altering or obliterating marks of identification.

6 (a) Offense defined.--No person shall change, alter, remove,
7 or obliterate the manufacturer's number integral to the frame or
8 receiver of any firearm which shall have the same meaning as
9 provided in section 6105 (relating to persons not to possess,
10 use, manufacture, control, sell or transfer firearms).

11 [(b) Presumption.--Possession of any firearm upon which any
12 such mark shall have been changed, altered, removed or
13 obliterated shall be prima facie evidence that the possessor has
14 changed, altered, removed or obliterated the same.]

15 (c) Penalty.--A violation of this section constitutes a
16 felony of the second degree.

17 [(d) Appellate review.--If a sentencing court refuses to
18 apply this section where applicable, the Commonwealth shall have
19 the right to appellate review of the action of the sentencing
20 court. The appellate court shall vacate the sentence and remand
21 the case to the sentencing court for imposition of a sentence in
22 accordance with this section if it finds that the sentence was
23 imposed in violation of this section.]

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