



PENNSYLVANIA STATE POLICE
BUREAU OF RECORDS & IDENTIFICATION
FIREARMS DIVISION
1800 ELMERTON AVENUE
HARRISBURG, PA 17110

January 9, 2020

Dear Licensed Firearms Dealer:

In accordance with the Pennsylvania Attorney General's binding [opinion](#) and applicable requirements within the Pennsylvania Uniform Firearms Act, 18 Pa.C.S., Chapter 61, Firearms and Other Dangerous Articles, effective December 16, 2019, a partially-manufactured frame or receiver (PMFR) for a pistol or rifle is considered a "firearm" for purposes of the state firearm prohibition found under 18 Pa.C.S. § 6105. The definition of "firearm" relevant to this determination is found at 18 Pa.C.S. § 6105(i), and states, "as used in this section only, the term 'firearm' shall include any weapons which are designed to or may readily be converted to expel any projectile by the action of an explosive or the frame or receiver of any such weapon." Moreover, pursuant to 18 Pa.C.S. § 6111(b) and (f)(1), a PICS background check and unique approval number must be completed and received in order to facilitate a lawful sale/transfer of a PMFR under Pennsylvania law.

The Pennsylvania State Police is currently working on an automated solution for processing these types of firearm sales/transfers by licensed firearms dealers. In the interim, dealers holding a current license to sell firearms shall utilize the following procedures for completing a sale/transfer of a PMFR. **Currently, web-based PICS background checks cannot be performed for the sale or transfer of PMFRs.** Prior to conducting a background check via the Interactive Voice Response (IVR), the attached Application for Purchase (Partially Manufactured Frame or Receiver for a Rifle or Pistol), Form SP 4-121, shall be completed by the transferee/purchaser. If the answer to Block 30 on the form is "YES," a PICS background check **shall not** be completed.

How to conduct a PICS check for a PMFR:

- Step 1.) Call the PICS Toll Free number at 888-684-7427, and hold on the line for a PICS operator. **Do not enter** your dealer #/PIN. You will provide it verbally to the PICS operator who answers your phone call.
- Step 2.) Inform the PICS operator that you are running a background check on a partially-manufactured frame/receiver for a rifle or pistol (80% lower). The PICS operator will ask you for information on the subject in order to conduct the background check.
- Step 3.) When the check has been completed, the PICS operator will provide you with a determination on whether the firearm can be sold/transferred. The statuses mirror the statuses you receive for a handgun or long gun: Approved, Denied, Undetermined, or Research. **You must receive a unique approval number from PICS before you sell/transfer the PMFR.**
- Step 4.) Write the unique approval number in Block 3 of the completed form Application for Purchase (Partially Manufactured Frame or Receiver for a Rifle or Pistol).

Step 5.) All PMFR purchases/transfers shall be reported via the **paper form** of the Surcharge Remittance, Form SP4-134.

Completed Application for Purchase (Partially Manufactured Frame or Receiver for a Rifle or Pistol) forms shall be retained by the dealer in a separate file/binder and available for inspection. **Do not submit these forms to the Pennsylvania State Police with remittances.**

Questions concerning these procedures shall be directed to the Firearms Division at 717-772-1896.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Paulshock', written in a cursive style.

Lieutenant Bryan Paulshock
Director, Firearms Division

18 Pa.C.S. Section 6105(a)(1): A person who has been convicted of an offense enumerated in subsection (b), within or without this Commonwealth, or whose conduct meets the criteria in subsection (c) shall not possess, use, control, sell, transfer or manufacture or obtain a license to possess, use, control, sell, transfer, or manufacture a firearm in this Commonwealth.

Section 6105(a.1)(2): A person who is the subject of an active final protection from abuse order issued pursuant to 23 Pa.C.S. § 6108, is the subject of any other active protection from abuse order issued pursuant to 23 Pa.C.S. § 6107(b) (relating to hearings), which provided for the relinquishment of firearms or other weapons or ammunition during the period of time the order is in effect, or is otherwise prohibited from possessing or acquiring a firearm under 18 U.S.C. § 922(g)(8) (relating to unlawful acts), commits a misdemeanor of the second degree if he intentionally or knowingly fails to relinquish a firearm or other weapon or ammunition.

Section 6105(b)

§908 Prohibited offensive weapons
§911 Corrupt organizations
§912 Possession of weapon on school property
§2502 Murder
§2503 Voluntary manslaughter
§2504 Involuntary manslaughter, if the offense is based on the reckless use of a firearm
§2702 Aggravated assault
§2703 Assault by prisoner
§2704 Assault by life prisoner
§2709.1 Stalking
§2716 Weapons of mass destruction
§2901 Kidnapping
§2902 Unlawful restraint
§2910 Luring a child into a motor vehicle or structure
§3121 Rape
§3123 Involuntary deviate sexual intercourse
§3125 Aggravated indecent assault
§3301 Arson and related offenses
§3302 Causing or risking catastrophe
§3502 Burglary
§3503 Criminal trespass, if the offense is graded a felony of the second degree or higher
§3701 Robbery
§3702 Robbery of motor vehicle

§3921 Theft by unlawful taking or disposition, upon conviction of the second felony offense
§3923 Theft by extortion, when the offense is accompanied by threats of violence
§3925 Receiving stolen property, upon conviction of the second felony offense
§4906 False reports to law enforcement authorities, if the fictitious report involved the theft of a firearm as provided in 4906(c)(2)
§4912 Impersonating a public servant if the person is impersonating a law enforcement officer
§4952 Intimidation of witnesses or victims
§4953 Retaliation against witness, victim or party
§5121 Escape
§5122 Weapons or implements for escape
§5501(3) Riot
§5515 Prohibiting of paramilitary training
§5516 Facsimile weapons of mass destruction
§6110.1 Possession of firearm by minor
§6301 Corruption of minors
§6302 Sale or lease of weapons and explosives

Any offense equivalent to any of the above-enumerated offenses under the prior laws of this Commonwealth, or any offense equivalent to any of the above-enumerated offenses under the statutes of any other state or of the United States.

Section 6105(c):

Effective November 22, 1995, 18 Pa.C.S. § 6105(c) also prohibits the following persons from possessing, using, controlling, transferring, manufacturing, or obtaining a license to possess, use, control, transfer, or manufacture a firearm in the Commonwealth of Pennsylvania.

ARE YOU A PERSON WHO:

1. is a fugitive from justice; or
2. has been convicted of an offense under the act of April 14, 1972 (P.L. 233, No. 64), known as The Controlled Substance, Drug, Device and Cosmetic Act, or any equivalent Federal statute or equivalent statute of any other state, that may be punishable by a term of imprisonment exceeding two years; or
3. has been convicted of driving under the influence of alcohol or controlled substance as provided in 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance) or the former 75 Pa.C.S. § 3731, on three or more separate occasions within a five-year period. For the purposes of this paragraph only, the prohibition of Section 6105(a) shall only apply to transfers or purchases of firearms after the third conviction; or
4. has been adjudicated as an incompetent or who has been involuntarily committed to a mental institution for inpatient care and treatment under section 302, 303, or 304 of the provisions of the act of July 9, 1976 (P.L. 817, No. 143), known as the Mental Health Procedures Act; or
5. being an alien, is illegally or unlawfully in the United States; or
6. is the subject of an active final protection from abuse order issued pursuant to 23 Pa.C.S. § 6108, is the subject of any other active protection from abuse order issued pursuant to 23 Pa.C.S. § 6107(b), which provided for the relinquishment of firearms during the period of time the order is in effect or is otherwise prohibited from possessing or acquiring a firearm under 18 U.S.C. § 922(g)(8). This prohibition shall terminate upon the expiration or vacation of the order or portion thereof relating to the relinquishment of firearms; or
7. was adjudicated delinquent by a court pursuant to 42 Pa.C.S. § 6341 (relating to adjudication) or under any equivalent Federal statute or statute of any other state as a result of conduct which if committed by an adult would constitute an offense under 18 Pa.C.S. sections 2502, 2503, 2702, 2703, 2704, 2901, 3121, 3123, 3301, 3502, 3701, and 3923; or
8. was adjudicated delinquent by a court pursuant to 42 Pa.C.S. § 6341 or under any equivalent Federal statute or statute of any other state as a result of conduct which if committed by an adult would constitute an offense enumerated in 18 Pa.C.S. § 6105(b) with the exception of those crimes set forth in paragraph 7. This prohibition shall terminate 15 years after the last applicable delinquent adjudication or upon the person reaching the age of 30, whichever is earlier.
9. is prohibited from possessing or acquiring a firearm under 18 U.S.C. § 922(g)(9). If the offense which resulted in the prohibition under 18 U.S.C. § 922(g)(9) was committed, as provided in 18 U.S.C. § 921(a)(33)(A)(ii) (relating to definitions), by a person in any of the following relationships: (i) the current or former spouse, parent or guardian of the victim; (ii) a person with whom the victim shares a child in common; (iii) a person who cohabits with or has cohabited with the victim as a spouse, parent or guardian; or (iv) a person similarly situated to a spouse, parent, or guardian of the victim; then the relationship need not be an element of the offense to meet the requirements of this paragraph.
10. has been convicted of an offense under subsection (a.1)(2). The prohibition shall terminate five years after the date of conviction, final release from confinement or final release from supervision, whichever is later.

PRIVACY ACT NOTICE

Solicitation of this information is authorized under Title 18 Pa.C.S. § 6111. Disclosure of your social security number is voluntary. Your social security number, if provided, may be used to verify your identity and prevent misidentification. All information supplied, including your social security number, is confidential and not subject to public disclosure.