



ARIZONA STATE SENATE
Fifty-First Legislature, Second Regular Session

FACT SHEET FOR S.B. 1064

firearm; definition

Purpose

Modifies the definition of *firearm* within the criminal code.

Background

The General Provisions chapter of the criminal code defines *firearm* as any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will or is designed to or may be readily converted to expel a projectile by the action of expanding gases (A.R.S. § 13-105). The Weapons and Explosives chapter of the criminal code defines *firearm* as any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive (A.R.S. § 13-3101). Both the General Provisions and the Weapons and Explosives chapter exclude firearms in permanent inoperable condition from the definition of *firearm*.

The federal Gun Control Act of 1968 defines *firearm* as: 1) any weapon (including a starter gun), which will, or is designed to or may readily be converted to expel a projectile by the action of an explosive; 2) the frame or receiver of any such weapon; 3) any firearm muffler or firearm silencer; or 4) any destructive device. Such a term does not include an antique firearm. Under federal law, any firearm with a frame or receiver manufactured prior to January 1, 1899 is considered *antique*.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Modifies the definition of *firearm* to include any weapon that will expel or is designed to expel a solid projectile or projectiles by the action of an explosive or a burning gas that is manufactured after January 1, 1899 and that is designed to use fixed cartridges.
2. Precludes, from the definition of *firearm*, any firearm incapable of being fired without mechanical repair by the use of tools or the replacement of parts.
3. Makes technical and conforming changes.

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4. Becomes effective on the general effective date.

Prepared by Senate Research

January 14, 2014

JA/AE/tf