



**LEGISLATIVE FISCAL ESTIMATE:** Yes 7/1/2022

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** Yes

Katie Sobko, NorthJersey.com | USA TODAY NETWORK – NEW JERSEY, 'NJ tightens gun laws after high court ruling - New bills follow weekend of nationwide gun violence', Burlington County Times (online), 6 Jul 2022 A1

By MIKE CATALINI, Associated Press, 'Murphy signs 7 new bills aimed at tightening NJ gun laws', Associated Press State Wire: New Jersey (online), 5 Jul 2022

end

P.L. 2022, CHAPTER 55, *approved July 5, 2022*  
Assembly, No. 1302 (*Second Reprint*)

1 **AN ACT** concerning the sale of ammunition, amending N.J.S.2C:58-  
2 1, N.J.S.2C:58-2, N.J.S.2C:58-3, and P.L.2007, c.318, and  
3 supplementing Title 2C of the New Jersey Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. N.J.S.2C:58-1 is amended to read as follows:  
9 2C:58-1. Registration of manufacturers and wholesale dealers of  
10 firearms

11 a. Registration. Every manufacturer and wholesale dealer of  
12 firearms shall register with the superintendent as provided in this  
13 section. No person shall engage in the business of, or act as a  
14 manufacturer or wholesale dealer of firearms, or manufacture or sell  
15 at wholesale any firearm, until he has so registered.

16 Applications for registration shall be made on such forms as  
17 shall be prescribed by the superintendent, and the applicant shall  
18 furnish such information and other particulars as may be prescribed  
19 by law or by any rules or regulations promulgated by the  
20 superintendent. Each application for registration or renewal shall  
21 be accompanied by a fee of \$150.00.

22 The superintendent shall prescribe standards and qualifications  
23 for the registration of manufacturers and wholesalers of firearms,  
24 for the protection of the public safety, health and welfare. He shall  
25 refuse to register any applicant for registration unless he is satisfied  
26 that the applicant can be permitted to engage in business as a  
27 manufacturer or wholesale dealer of firearms without any danger to  
28 the public safety, health or welfare.

29 The superintendent shall issue a certificate of registration to  
30 every person registered under this section, and such certificate shall  
31 be valid for a period of 3 years from the date of issuance.

32 b. Wholesale dealer's agent. Every registered wholesale dealer  
33 of firearms shall cause each of his agents or employees actively  
34 engaged in the purchase or sale of firearms to be licensed with the  
35 superintendent as a wholesale dealer's agent. Applications for  
36 agents' licenses shall be submitted on such forms as shall be  
37 prescribed by the superintendent, and shall be signed by the

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AJU committee amendments adopted June 23, 2022.

<sup>2</sup>Assembly AAP committee amendments adopted June 23, 2022.

1 registered wholesale dealer and by the agent. Each application shall  
2 be accompanied by a fee of \$5.00, and each license shall be valid  
3 for so long as the agent or employee remains in the employ of the  
4 wholesale dealer and the wholesale dealer remains validly  
5 registered under this section. The superintendent shall prescribe  
6 standards and qualifications for licensed wholesale dealers' agents,  
7 for the protection of the public safety, health and welfare.

8 c. Revocation of certificate of registration or license.  
9 The superintendent may, after reasonable notice to all affected  
10 parties and a hearing if requested, revoke any certificate of  
11 registration or agent's license if he finds that the registered or  
12 licensed person is no longer engaged in the business of  
13 manufacturing or wholesaling firearms in this State or that he can  
14 no longer be permitted to carry on such business without  
15 endangering the public safety, health or welfare. A certificate or  
16 license may be canceled at any time at the request of the registered  
17 or licensed person.

18 d. Appeals. Any person aggrieved by the refusal of the  
19 superintendent to register him as a manufacturer or wholesale dealer  
20 or a wholesale dealer's agent, or by revocation of his certificate or  
21 license, may appeal to the Appellate Division of the Superior Court.

22 e. Records of sales. Every manufacturer and wholesale dealer  
23 shall keep a detailed record of each firearm and all handgun  
24 ammunition sold by **【him】** the manufacturer and dealer. The  
25 firearm record shall include the date of sale, the name and address  
26 of the purchaser, a description of each firearm and the firearm's  
27 serial number 【thereof】. The handgun ammunition record shall be  
28 in electronic form and shall contain the date of the transaction; the  
29 type, caliber, or gauge of the ammunition; the quantity of  
30 ammunition sold; the name and address of the purchaser; and any  
31 other information the superintendent shall deem necessary for the  
32 proper enforcement of this chapter. The records shall be available  
33 for inspection at all reasonable times by any law enforcement  
34 officer.

35 Every manufacturer and wholesale dealer shall establish a system  
36 for maintaining electronic records pursuant to this subsection within  
37 12 months of the effective date of P.L. , c. (C. ) (pending  
38 before the Legislature as this bill).

39 (cf: N.J.S.2C:58-1)

40

41 2. N.J.S.2C:58-2 is amended to read as follows:

42 2C:58-2. a. Licensing of retail dealers and their employees. No  
43 retail dealer of firearms nor any employee of a retail dealer shall  
44 sell or expose for sale, or possess with the intent of selling, any  
45 firearm unless licensed to do so as hereinafter provided. The  
46 superintendent shall prescribe standards and qualifications for retail  
47 dealers of firearms and their employees for the protection of the  
48 public safety, health and welfare.

1 Applications shall be made in the form prescribed by the  
2 superintendent, accompanied by a fee of \$50 payable to the  
3 superintendent, and shall be made to a judge of the Superior Court  
4 in the county where the applicant maintains his place of business.  
5 The judge shall grant a license to an applicant if he finds that the  
6 applicant meets the standards and qualifications established by the  
7 superintendent and that the applicant can be permitted to engage in  
8 business as a retail dealer of firearms or employee thereof without  
9 any danger to the public safety, health and welfare. Each license  
10 shall be valid for a period of three years from the date of issuance,  
11 and shall authorize the holder to sell firearms at retail in a specified  
12 municipality.

13 In addition, every retail dealer shall pay a fee of \$5 for each  
14 employee actively engaged in the sale or purchase of firearms. The  
15 superintendent shall issue a license for each employee for whom  
16 said fee has been paid, which license shall be valid for so long as  
17 the employee remains in the employ of said retail dealer.

18 No license shall be granted to any retail dealer under the age of  
19 21 years or to any employee of a retail dealer under the age of 18 or  
20 to any person who could not qualify to obtain a permit to purchase a  
21 handgun or a firearms purchaser identification card, or to any  
22 corporation, partnership or other business organization in which the  
23 actual or equitable controlling interest is held or possessed by such  
24 an ineligible person.

25 All licenses shall be granted subject to the following conditions,  
26 for breach of any of which the license shall be subject to revocation  
27 on the application of any law enforcement officer and after notice  
28 and hearing by the issuing court:

29 (1) The business shall be carried on only in the building or  
30 buildings designated in the license, provided that repairs may be  
31 made by the dealer or his employees outside of such premises.

32 (2) The license or a copy certified by the issuing authority shall  
33 be displayed at all times in a conspicuous place on the business  
34 premises where it can be easily read.

35 (3) No firearm or imitation thereof shall be placed in any  
36 window or in any other part of the premises where it can be readily  
37 seen from the outside.

38 (4) No rifle or shotgun, except antique rifles or shotguns, shall  
39 be delivered to any person unless such person possesses and  
40 exhibits a valid firearms purchaser identification card and furnishes  
41 the seller, on the form prescribed by the superintendent, a  
42 certification signed by him setting forth his name, permanent  
43 address, firearms purchaser identification card number and such  
44 other information as the superintendent may by rule or regulation  
45 require. The certification shall be retained by the dealer and shall  
46 be made available for inspection by any law enforcement officer at  
47 any reasonable time.

48 (5) No handgun shall be delivered to any person unless:

- 1 (a) Such person possesses and exhibits a valid permit to  
2 purchase a firearm and at least seven days have elapsed since the  
3 date of application for the permit;
- 4 (b) The person is personally known to the seller or presents  
5 evidence of his identity;
- 6 (c) The handgun is unloaded and securely wrapped;
- 7 (d) The handgun is accompanied by a trigger lock or a locked  
8 case, gun box, container or other secure facility; provided, however,  
9 this provision shall not apply to antique handguns or personalized  
10 handguns included in the roster pursuant to section 2 of P.L.2019,  
11 c.164 (C.2C:58-2.8). The exemptions afforded under this  
12 subparagraph for antique handguns and personalized handguns shall  
13 be narrowly construed, limited solely to the requirements set forth  
14 herein and shall not be deemed to afford or authorize any other  
15 exemption from the regulatory provisions governing firearms set  
16 forth in chapter 39 and chapter 58 of Title 2C of the New Jersey  
17 Statutes; and
- 18 (e) (Deleted by amendment, P.L.2019, c.164)
- 19 (6) The dealer shall keep a true record of every handgun sold,  
20 given or otherwise delivered or disposed of, in accordance with the  
21 provisions of subsections b. through e. of this section and the record  
22 shall note whether a trigger lock, locked case, gun box, container or  
23 other secure facility was delivered along with the handgun.
- 24 (7) A dealer shall not knowingly deliver more than one handgun  
25 to any person within any 30-day period. This limitation shall not  
26 apply to:
- 27 (a) a federal, State, or local law enforcement officer or agency  
28 purchasing handguns for use by officers in the actual performance  
29 of their law enforcement duties;
- 30 (b) a collector of handguns as curios or relics as defined in Title  
31 18, United States Code, section 921 (a) (13) who has in his  
32 possession a valid Collector of Curios and Relics License issued by  
33 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;
- 34 (c) transfers of handguns among licensed retail dealers,  
35 registered wholesale dealers and registered manufacturers;
- 36 (d) any transaction where the person has purchased a handgun  
37 from a licensed retail dealer and has returned that handgun to the  
38 dealer in exchange for another handgun within 30 days of the  
39 original transaction, provided the retail dealer reports the exchange  
40 transaction to the superintendent; or
- 41 (e) any transaction where the superintendent issues an  
42 exemption from the prohibition in this subsection pursuant to the  
43 provisions of section 4 of P.L.2009, c.186 (C.2C:58-3.4).
- 44 b. Records. (1) Every person engaged in the retail business of  
45 selling, leasing or otherwise transferring a handgun, as a retail  
46 dealer or otherwise, shall keep a register in which shall be entered  
47 the time of the sale, lease or other transfer, the date thereof, the  
48 name, age, date of birth, occupation, residence and a physical

1 description including distinguishing physical characteristics, if any,  
2 of the purchaser, lessee or transferee, the name and permanent home  
3 address of the person making the sale, lease or transfer, the place of  
4 the transaction, and the make, model, manufacturer's number,  
5 caliber and other marks of identification on such handgun and such  
6 other information as the superintendent shall deem necessary for the  
7 proper enforcement of this chapter. The register shall be retained by  
8 the dealer and shall be made available at all reasonable hours for  
9 inspection by any law enforcement officer.

10 (2) Every person engaged in the retail business of selling,  
11 leasing, or otherwise transferring handgun ammunition, as a retail  
12 dealer or otherwise, shall keep an electronic record in which shall  
13 be entered the name of the manufacturer; the date of the transaction;  
14 the type; caliber or gauge of the ammunition; the quantity of the  
15 ammunition sold; the name, address, and date of birth of the  
16 purchaser; the identification used to establish the identity of the  
17 purchaser; and any other information the superintendent shall deem  
18 necessary for the proper enforcement of this chapter.

19 The electronic records shall be retained by the dealer and shall be  
20 made available at all reasonable hours for inspection by any law  
21 enforcement officer, and additionally shall be electronically  
22 reported to the superintendent in accordance with section<sup>1</sup>~~4~~ 5<sup>1</sup> of  
23 P.L. , c. (C. ) (pending before the Legislature as this bill).

24 <sup>1</sup>(3) Every retail dealer in the business of selling or otherwise  
25 transferring handgun ammunition shall immediately electronically  
26 report to the State Police any transaction involving the sale,  
27 transfer, assignment, or disposition of 2,000 or more rounds of  
28 handgun ammunition and information relating to each transaction in  
29 accordance with this subsection.

30 Until the implementation of the electronic record system  
31 described in paragraph (2) of subsection b. of this section or section  
32 5 of P.L. , c. (C. ) (pending before the Legislature as this  
33 bill), the retail dealer shall immediately contact the State Police  
34 regarding the sale, transfer, assignment, or disposition of 2,000 or  
35 more rounds of handgun ammunition in accordance with guidelines  
36 established by the superintendent.<sup>1</sup>

37 c. Forms of register.

38 **【The】** (1) Until the implementation of the electronic record  
39 system described in paragraph (2) of subsection b. of this section or  
40 section<sup>1</sup>~~4~~ 5<sup>1</sup> of P.L. , c. (C. ) (pending before the  
41 Legislature as this bill), the superintendent shall prepare the form of  
42 the register as described in paragraph (1) of subsection b. of this  
43 section and furnish the same in triplicate to each person licensed to  
44 be engaged in the business of selling, leasing or otherwise  
45 transferring firearms.

46 (2) All retail dealers of handgun ammunition shall establish a  
47 system for maintaining electronic records of the sale or transfer of

1 handgun ammunition within 12 months after the effective date of  
 2 P.L. , c. (C. ) (pending before the Legislature as this bill).

3 d. Signatures in register. **【The】** Until the dealer implements an  
 4 electronic record system as described in paragraph (2) of subsection  
 5 b. of this section or section <sup>1</sup>**【4】** <sup>5</sup> of P.L. , c. (C. ) (pending  
 6 before the Legislature as this bill), the purchaser, lessee or  
 7 transferee of any handgun shall sign, and the dealer shall require  
 8 him to sign his name to the register, in triplicate, and the person  
 9 making the sale, lease or transfer shall affix his name, in triplicate,  
 10 as a witness to the signature. The signatures, or the entry of an  
 11 electronic signature in the electronic record system pursuant to  
 12 paragraph (2) of subsection b. of this section or section <sup>1</sup>**【4】** <sup>5</sup> of  
 13 P.L. , c. (C. ) (pending before the Legislature as this bill),  
 14 shall constitute a representation of the accuracy of the information  
 15 contained in the register.

16 e. Copies of register entries; delivery to chief of police or  
 17 county clerk.

18 **【Within】** (1) Except as otherwise provided in paragraph (2) of  
 19 this subsection, within five days of the date of the sale, assignment  
 20 or transfer, the dealer shall deliver or mail by certified mail, return  
 21 receipt requested, legible copies of the register forms to the office  
 22 of the chief of police of the municipality in which the purchaser  
 23 resides, or to the office of the captain of the precinct of the  
 24 municipality in which the purchaser resides, and to the  
 25 superintendent. If hand delivered a receipt shall be given to the  
 26 dealer therefor.

27 Where a sale, assignment or transfer is made to a purchaser who  
 28 resides in a municipality having no chief of police, the dealer shall,  
 29 within five days of the transaction, mail a duplicate copy of the  
 30 register sheet to the clerk of the county within which the purchaser  
 31 resides.

32 (2) A dealer shall not be required to use the triplicate form after  
 33 the dealer establishes an electronic reporting system pursuant to  
 34 paragraph (2) of subsection b. of this section or section <sup>1</sup>**【4】** <sup>5</sup> of  
 35 P.L. , c. (C. ) (pending before the Legislature as this bill).  
 36 (cf: P.L.2019, c.164, s.7)

37

38 <sup>1</sup>**【3. N.J.S.2C:58-3 is amended to read as follows:**

39 2C:58-3. a. Permit to purchase a handgun.

40 (1) No person shall sell, give, transfer, assign or otherwise  
 41 dispose of, nor receive, purchase, or otherwise acquire a handgun  
 42 unless the purchaser, assignee, donee, receiver or holder is licensed  
 43 as a dealer under this chapter or has first secured a permit to  
 44 purchase a handgun as provided by this section.

45 (2) A person who is not a licensed retail dealer and sells, gives,  
 46 transfers, assigns, or otherwise disposes of, or receives, purchases



1 or otherwise acquires a handgun pursuant to this section shall  
2 conduct the transaction through a licensed retail dealer.

3 The provisions of this paragraph shall not apply if the transaction  
4 is:

5 (a) between members of an immediate family as defined in  
6 subsection n. of this section;

7 (b) between law enforcement officers;

8 (c) between collectors of firearms or ammunition as curios or  
9 relics as defined in Title 18, U.S.C. section 921 (a) (13) who have  
10 in their possession a valid Collector of Curios and Relics License  
11 issued by the Bureau of Alcohol, Tobacco, Firearms, and  
12 Explosives; or

13 (d) a temporary transfer pursuant to section 1 of P.L.1992,  
14 c.74 (C.2C:58-3.1) or section 1 of P.L.1997, c.375 (C.2C:58-3.2).

15 (3) Prior to a transaction conducted pursuant to this subsection,  
16 the retail dealer shall complete a National Instant Criminal  
17 Background Check of the person acquiring the handgun. In  
18 addition:

19 (a) the retail dealer shall submit to the Superintendent of State  
20 Police, on a form approved by the superintendent, information  
21 identifying and confirming the background check;

22 (b) every retail dealer shall maintain a record of transactions  
23 conducted pursuant to this subsection, which shall be maintained at  
24 the address displayed on the retail dealer's license for inspection by  
25 a law enforcement officer during reasonable hours;

26 (c) a retail dealer may charge a fee for a transaction conducted  
27 pursuant to this subsection; and

28 (d) any record produced pursuant to this subsection shall not be  
29 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et  
30 seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

31 b. Firearms purchaser identification card.

32 (1) No person shall sell, give, transfer, assign or otherwise  
33 dispose of nor receive, purchase or otherwise acquire an antique  
34 cannon or a rifle or shotgun, other than an antique rifle or shotgun,  
35 unless the purchaser, assignee, donee, receiver or holder is licensed  
36 as a dealer under this chapter or possesses a valid firearms  
37 purchaser identification card, and first exhibits the card to the seller,  
38 donor, transferor or assignor, and unless the purchaser, assignee,  
39 donee, receiver or holder signs a written certification, on a form  
40 prescribed by the superintendent, which shall indicate that he  
41 presently complies with the requirements of subsection c. of this  
42 section and shall contain his name, address and firearms purchaser  
43 identification card number or dealer's registration number. The  
44 certification shall be retained by the seller, as provided in paragraph  
45 (4) of subsection a. of N.J.S.2C:58-2, or, in the case of a person  
46 who is not a dealer, it may be filed with the chief of police of the  
47 municipality in which he resides or with the superintendent.

1 (2) A person who is not a licensed retail dealer and sells, gives,  
2 transfers, assigns, or otherwise disposes of, or receives, purchases  
3 or otherwise acquires an antique cannon or a rifle or shotgun  
4 pursuant to this section shall conduct the transaction through a  
5 licensed retail dealer.

6 The provisions of this paragraph shall not apply if the transaction  
7 is:

8 (a) between members of an immediate family as defined in  
9 subsection n. of this section;

10 (b) between law enforcement officers;

11 (c) between collectors of firearms or ammunition as curios or  
12 relics as defined in Title 18, U.S.C. section 921 (a) (13) who have  
13 in their possession a valid Collector of Curios and Relics License  
14 issued by the Bureau of Alcohol, Tobacco, Firearms, and  
15 Explosives; or

16 (d) a temporary transfer pursuant to section 1 of P.L.1992,  
17 c.74 (C.2C:58-3.1) and section 1 of P.L.1997, c.375 (C.2C:58-3.2).

18 (3) Prior to a transaction conducted pursuant to this subsection,  
19 the retail dealer shall complete a National Instant Criminal  
20 Background Check of the person acquiring an antique cannon or a  
21 rifle or shotgun. In addition:

22 (a) the retail dealer shall submit to the Superintendent of State  
23 Police, on a form approved by the superintendent, information  
24 identifying and confirming the background check;

25 (b) every retail dealer shall maintain a record of transactions  
26 conducted pursuant to this section which shall be maintained at the  
27 address set forth on the retail dealer's license for inspection by a law  
28 enforcement officer during reasonable hours;

29 (c) a retail dealer may charge a fee for a transaction conducted  
30 pursuant to this subsection; and

31 (d) any record produced pursuant to this subsection shall not be  
32 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et  
33 seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

34 c. Who may obtain. No person of good character and good  
35 repute in the community in which he lives, and who is not subject to  
36 any of the disabilities set forth in this section or other sections of  
37 this chapter, shall be denied a permit to purchase a handgun or a  
38 firearms purchaser identification card, except as hereinafter set  
39 forth. No handgun purchase permit or firearms purchaser  
40 identification card shall be issued:

41 (1) To any person who has been convicted of any crime, or a  
42 disorderly persons offense involving an act of domestic violence as  
43 defined in section 3 of P.L.1991, c.261 (C.2C:25-19), whether or  
44 not armed with or possessing a weapon at the time of the offense;

45 (2) To any drug dependent person as defined in section 2 of  
46 P.L.1970, c.226 (C.24:21-2), to any person who is confined for a  
47 mental disorder to a hospital, mental institution or sanitarium, or to  
48 any person who is presently an habitual drunkard;

1 (3) To any person who suffers from a physical defect or disease  
2 which would make it unsafe for him to handle firearms, to any  
3 person who has ever been confined for a mental disorder, or to any  
4 alcoholic unless any of the foregoing persons produces a certificate  
5 of a medical doctor or psychiatrist licensed in New Jersey, or other  
6 satisfactory proof, that he is no longer suffering from that particular  
7 disability in a manner that would interfere with or handicap him in  
8 the handling of firearms; to any person who knowingly falsifies any  
9 information on the application form for a handgun purchase permit  
10 or firearms purchaser identification card;

11 (4) To any person under the age of 18 years for a firearms  
12 purchaser identification card and to any person under the age of 21  
13 years for a permit to purchase a handgun;

14 (5) To any person where the issuance would not be in the  
15 interest of the public health, safety or welfare;

16 (6) To any person who is subject to a restraining order issued  
17 pursuant to the "Prevention of Domestic Violence Act of 1991,"  
18 P.L.1991, c.261 (C.2C:25-17 et seq.) prohibiting the person from  
19 possessing any firearm;

20 (7) To any person who as a juvenile was adjudicated delinquent  
21 for an offense which, if committed by an adult, would constitute a  
22 crime and the offense involved the unlawful use or possession of a  
23 weapon, explosive or destructive device or is enumerated in  
24 subsection d. of section 2 of P.L.1997, c.117 (C.2C:43-7.2);

25 (8) To any person whose firearm is seized pursuant to the  
26 "Prevention of Domestic Violence Act of 1991," P.L.1991,  
27 c.261 (C.2C:25-17 et seq.) and whose firearm has not been  
28 returned; or

29 (9) To any person named on the consolidated Terrorist Watchlist  
30 maintained by the Terrorist Screening Center administered by the  
31 Federal Bureau of Investigation; or

32 (10) To any person who is subject to a court order prohibiting  
33 the custody, control, ownership, purchase, possession, or receipt of  
34 a firearm or ammunition issued pursuant to the "Extreme Risk  
35 Protective Order Act of 2018," P.L.2018, c.35 (C.2C:58-20 et al.).

36 d. Issuance. The chief of police of an organized full-time  
37 police department of the municipality where the applicant resides or  
38 the superintendent, in all other cases, shall upon application, issue  
39 to any person qualified under the provisions of subsection c. of this  
40 section a permit to purchase a handgun or a firearms purchaser  
41 identification card.

42 Any person aggrieved by the denial of a permit or identification  
43 card may request a hearing in the Superior Court of the county in  
44 which he resides if he is a resident of New Jersey or in the Superior  
45 Court of the county in which his application was filed if he is a  
46 nonresident. The request for a hearing shall be made in writing  
47 within 30 days of the denial of the application for a permit or  
48 identification card. The applicant shall serve a copy of his request

1 for a hearing upon the chief of police of the municipality in which  
2 he resides, if he is a resident of New Jersey, and upon the  
3 superintendent in all cases. The hearing shall be held and a record  
4 made thereof within 30 days of the receipt of the application for a  
5 hearing by the judge of the Superior Court. No formal pleading and  
6 no filing fee shall be required as a preliminary to a hearing.  
7 Appeals from the results of a hearing shall be in accordance with  
8 law.

9 e. Applications. Applications for permits to purchase a  
10 handgun and for firearms purchaser identification cards shall be in  
11 the form prescribed by the superintendent and shall set forth the  
12 name, residence, place of business, age, date of birth, occupation,  
13 sex and physical description, including distinguishing physical  
14 characteristics, if any, of the applicant, and shall state whether the  
15 applicant is a citizen, whether he is an alcoholic, habitual drunkard,  
16 drug dependent person as defined in section 2 of P.L.1970,  
17 c.226 (C.24:21-2), whether he has ever been confined or committed  
18 to a mental institution or hospital for treatment or observation of a  
19 mental or psychiatric condition on a temporary, interim or  
20 permanent basis, giving the name and location of the institution or  
21 hospital and the dates of confinement or commitment, whether he  
22 has been attended, treated or observed by any doctor or psychiatrist  
23 or at any hospital or mental institution on an inpatient or outpatient  
24 basis for any mental or psychiatric condition, giving the name and  
25 location of the doctor, psychiatrist, hospital or institution and the  
26 dates of the occurrence, whether he presently or ever has been a  
27 member of any organization which advocates or approves the  
28 commission of acts of force and violence to overthrow the  
29 Government of the United States or of this State, or which seeks to  
30 deny others their rights under the Constitution of either the United  
31 States or the State of New Jersey, whether he has ever been  
32 convicted of a crime or disorderly persons offense, whether the  
33 person is subject to a restraining order issued pursuant to the  
34 "Prevention of Domestic Violence Act of 1991," P.L.1991,  
35 c.261 (C.2C:25-17 et seq.) prohibiting the person from possessing  
36 any firearm, whether the person is subject to a protective order  
37 issued pursuant to the "Extreme Risk Protective Order Act of  
38 2018," P.L.2018, c.35 (C.2C:58-20 et al.) prohibiting the person  
39 from possessing any firearm, and other information as the  
40 superintendent shall deem necessary for the proper enforcement of  
41 this chapter. For the purpose of complying with this subsection, the  
42 applicant shall waive any statutory or other right of confidentiality  
43 relating to institutional confinement. The application shall be  
44 signed by the applicant and shall contain as references the names  
45 and addresses of two reputable citizens personally acquainted with  
46 him.

47 Application blanks shall be obtainable from the superintendent,  
48 from any other officer authorized to grant a permit or identification

1 card, and from licensed retail dealers, or shall be made available  
2 through an online process established or made available by the  
3 superintendent.

4 The chief police officer or the superintendent shall obtain the  
5 fingerprints of the applicant and shall have them compared with any  
6 and all records of fingerprints in the municipality and county in  
7 which the applicant resides and also the records of the State Bureau  
8 of Identification and the Federal Bureau of Investigation, provided  
9 that an applicant for a handgun purchase permit who possesses a  
10 valid firearms purchaser identification card, or who has previously  
11 obtained a handgun purchase permit from the same licensing  
12 authority for which he was previously fingerprinted, and who  
13 provides other reasonably satisfactory proof of his identity, need not  
14 be fingerprinted again; however, the chief police officer or the  
15 superintendent shall proceed to investigate the application to  
16 determine whether or not the applicant has become subject to any of  
17 the disabilities set forth in this chapter.

18 f. Granting of permit or identification card; fee; term; renewal;  
19 revocation. The application for the permit to purchase a handgun  
20 together with a fee of \$2, or the application for the firearms  
21 purchaser identification card together with a fee of \$5, shall be  
22 delivered or forwarded to the licensing authority who shall  
23 investigate the same and, unless good cause for the denial thereof  
24 appears, shall grant the permit or the identification card, or both, if  
25 application has been made therefor, within 30 days from the date of  
26 receipt of the application for residents of this State and within 45  
27 days for nonresident applicants. A permit to purchase a handgun  
28 shall be valid for a period of 90 days from the date of issuance and  
29 may be renewed by the issuing authority for good cause for an  
30 additional 90 days. A firearms purchaser identification card shall  
31 be valid until such time as the holder becomes subject to any of the  
32 disabilities set forth in subsection c. of this section, whereupon the  
33 card shall be void and shall be returned within five days by the  
34 holder to the superintendent, who shall then advise the licensing  
35 authority. Failure of the holder to return the firearms purchaser  
36 identification card to the superintendent within the five days shall  
37 be an offense under subsection a. of N.J.S.2C:39-10. Any firearms  
38 purchaser identification card may be revoked by the Superior Court  
39 of the county wherein the card was issued, after hearing upon  
40 notice, upon a finding that the holder thereof no longer qualifies for  
41 the issuance of the permit. The county prosecutor of any county,  
42 the chief police officer of any municipality or any citizen may apply  
43 to the court at any time for the revocation of the card.

44 There shall be no conditions or requirements added to the form  
45 or content of the application, or required by the licensing authority  
46 for the issuance of a permit or identification card, other than those  
47 that are specifically set forth in this chapter.

1 g. Disposition of fees. All fees for permits shall be paid to the  
2 State Treasury if the permit is issued by the superintendent, to the  
3 municipality if issued by the chief of police, and to the county  
4 treasurer if issued by the judge of the Superior Court.

5 h. Form of permit; quadruplicate; disposition of copies.

6 **【The】** (1) Except as otherwise provided in paragraph (2) of this  
7 subsection, the permit shall be in the form prescribed by the  
8 superintendent and shall be issued to the applicant in quadruplicate.  
9 Prior to the time he receives the handgun from the seller, the  
10 applicant shall deliver to the seller the permit in quadruplicate and  
11 the seller shall complete all of the information required on the form.  
12 Within five days of the date of the sale, the seller shall forward the  
13 original copy to the superintendent and the second copy to the chief  
14 of police of the municipality in which the purchaser resides, except  
15 that in a municipality having no chief of police, the copy shall be  
16 forwarded to the superintendent. The third copy shall then be  
17 returned to the purchaser with the pistol or revolver and the fourth  
18 copy shall be kept by the seller as a permanent record.

19 (2) The requirements of this subsection concerning the delivery  
20 and form of permit and disposition of copies shall not be applicable  
21 when these functions may be completed by utilizing an electronic  
22 system as described in paragraph (2) of subsection b. of  
23 N.J.S.2C:58-2 or section 4 of P.L. , c. (C. ) (pending before  
24 the Legislature as this bill).

25 i. Restriction on number of firearms person may purchase.  
26 Only one handgun shall be purchased or delivered on each permit  
27 and no more than one handgun shall be purchased within any 30-  
28 day period, but this limitation shall not apply to:

29 (1) a federal, State, or local law enforcement officer or agency  
30 purchasing handguns for use by officers in the actual performance  
31 of their law enforcement duties;

32 (2) a collector of handguns as curios or relics as defined in Title  
33 18, United States Code, section 921 (a) (13) who has in his  
34 possession a valid Collector of Curios and Relics License issued by  
35 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

36 (3) transfers of handguns among licensed retail dealers,  
37 registered wholesale dealers and registered manufacturers;

38 (4) transfers of handguns from any person to a licensed retail  
39 dealer or a registered wholesale dealer or registered manufacturer;

40 (5) any transaction where the person has purchased a handgun  
41 from a licensed retail dealer and has returned that handgun to the  
42 dealer in exchange for another handgun within 30 days of the  
43 original transaction, provided the retail dealer reports the exchange  
44 transaction to the superintendent; or

45 (6) any transaction where the superintendent issues an  
46 exemption from the prohibition in this subsection pursuant to the  
47 provisions of section 4 of P.L.2009, c.186 (C.2C:58-3.4).

1       The provisions of this subsection shall not be construed to afford  
2 or authorize any other exemption from the regulatory provisions  
3 governing firearms set forth in chapter 39 and chapter 58 of Title  
4 2C of the New Jersey Statutes;

5       A person shall not be restricted as to the number of rifles or  
6 shotguns he may purchase, provided he possesses a valid firearms  
7 purchaser identification card and provided further that he signs the  
8 certification required in subsection b. of this section for each  
9 transaction.

10      j. Firearms passing to heirs or legatees. Notwithstanding any  
11 other provision of this section concerning the transfer, receipt or  
12 acquisition of a firearm, a permit to purchase or a firearms  
13 purchaser identification card shall not be required for the passing of  
14 a firearm upon the death of an owner thereof to his heir or legatee,  
15 whether the same be by testamentary bequest or by the laws of  
16 intestacy. The person who shall so receive, or acquire the firearm  
17 shall, however, be subject to all other provisions of this chapter. If  
18 the heir or legatee of the firearm does not qualify to possess or carry  
19 it, he may retain ownership of the firearm for the purpose of sale for  
20 a period not exceeding 180 days, or for a further limited period as  
21 may be approved by the chief law enforcement officer of the  
22 municipality in which the heir or legatee resides or the  
23 superintendent, provided that the firearm is in the custody of the  
24 chief law enforcement officer of the municipality or the  
25 superintendent during that period.

26      k. Sawed-off shotguns. Nothing in this section shall be  
27 construed to authorize the purchase or possession of any sawed-off  
28 shotgun.

29      l. Nothing in this section and in N.J.S.2C:58-2 shall apply to  
30 the sale or purchase of a visual distress signalling device approved  
31 by the United States Coast Guard, solely for possession on a private  
32 or commercial aircraft or any boat; provided, however, that no  
33 person under the age of 18 years shall purchase nor shall any person  
34 sell to a person under the age of 18 years a visual distress signalling  
35 device.

36      m. The provisions of subsections a. and b. of this section and  
37 paragraphs (4) and (5) of subsection a. of N.J.S.2C:58-2 shall not  
38 apply to the purchase of firearms by a law enforcement agency for  
39 use by law enforcement officers in the actual performance of the  
40 officers' official duties, which purchase may be made directly from  
41 a manufacturer or from a licensed dealer located in this State or any  
42 other state.

43      n. For the purposes of this section, "immediate family" means a  
44 spouse, domestic partner as defined in section 3 of P.L.2003,  
45 c.246 (C.26:8A-3), partner in a civil union couple as defined in  
46 section 2 of P.L.2006, c.103 (C.37:1-29), parent, stepparent,  
47 grandparent, sibling, stepsibling, child, stepchild, and grandchild, as  
48 related by blood or by law.

1 (cf: P.L.2018, c.36, s.1)]<sup>1</sup>

2

3 <sup>1</sup>3. N.J.S.2C:58-3 is amended to read as follows:

4 2C:58-3. a. Permit to purchase a handgun.

5 (1) No person shall sell, give, transfer, assign or otherwise  
6 dispose of, nor receive, purchase, or otherwise acquire a handgun  
7 unless the purchaser, assignee, donee, receiver or holder is licensed  
8 as a dealer under this chapter or has first secured a permit to  
9 purchase a handgun as provided by this section.

10 (2) A person who is not a licensed retail dealer and sells, gives,  
11 transfers, assigns, or otherwise disposes of, or receives, purchases  
12 or otherwise acquires a handgun pursuant to this section shall  
13 conduct the transaction through a licensed retail dealer.

14 The provisions of this paragraph shall not apply if the transaction  
15 is:

16 (a) between members of an immediate family as defined in  
17 subsection n. of this section;

18 (b) between law enforcement officers;

19 (c) between collectors of firearms or ammunition as curios or  
20 relics as defined in Title 18, U.S.C. section 921 (a) (13) who have  
21 in their possession a valid Collector of Curios and Relics License  
22 issued by the Bureau of Alcohol, Tobacco, Firearms, and  
23 Explosives; or

24 (d) a temporary transfer pursuant to section 1 of P.L.1992, c.74  
25 (C.2C:58-3.1) or section 1 of P.L.1997, c.375 (C.2C:58-3.2).

26 (3) Prior to a transaction conducted pursuant to this subsection,  
27 the retail dealer shall complete a National Instant Criminal  
28 Background Check of the person acquiring the handgun. In  
29 addition:

30 (a) the retail dealer shall submit to the Superintendent of State  
31 Police, on a form approved by the superintendent, information  
32 identifying and confirming the background check;

33 (b) every retail dealer shall maintain a record of transactions  
34 conducted pursuant to this subsection, which shall be maintained at  
35 the address displayed on the retail dealer's license for inspection by  
36 a law enforcement officer during reasonable hours;

37 (c) a retail dealer may charge a fee for a transaction conducted  
38 pursuant to this subsection; and

39 (d) any record produced pursuant to this subsection shall not be  
40 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-  
41 1 et seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

42 b. Firearms purchaser identification card.

43 (1) No person shall sell, give, transfer, assign or otherwise  
44 dispose of nor receive, purchase or otherwise acquire an antique  
45 cannon or a rifle or shotgun, other than an antique rifle or shotgun,  
46 unless the purchaser, assignee, donee, receiver or holder is licensed  
47 as a dealer under this chapter or possesses a valid firearms  
48 purchaser identification card, and first exhibits the card to the seller,



1 donor, transferor or assignor, and unless the purchaser, assignee,  
2 donee, receiver or holder signs a written certification, on a form  
3 prescribed by the superintendent, which shall indicate that he  
4 presently complies with the requirements of subsection c. of this  
5 section and shall contain his name, address and firearms purchaser  
6 identification card number or dealer's registration number. The  
7 certification shall be retained by the seller, as provided in paragraph  
8 (4) of subsection a. of N.J.S.2C:58-2, or, in the case of a person  
9 who is not a dealer, it may be filed with the chief of police of the  
10 municipality in which he resides or with the superintendent.

11 (2) A person who is not a licensed retail dealer and sells, gives,  
12 transfers, assigns, or otherwise disposes of, or receives, purchases  
13 or otherwise acquires an antique cannon or a rifle or shotgun  
14 pursuant to this section shall conduct the transaction through a  
15 licensed retail dealer.

16 The provisions of this paragraph shall not apply if the transaction  
17 is:

18 (a) between members of an immediate family as defined in  
19 subsection n. of this section;

20 (b) between law enforcement officers;

21 (c) between collectors of firearms or ammunition as curios or  
22 relics as defined in Title 18, U.S.C. section 921 (a) (13) who have  
23 in their possession a valid Collector of Curios and Relics License  
24 issued by the Bureau of Alcohol, Tobacco, Firearms, and  
25 Explosives; or

26 (d) a temporary transfer pursuant to section 1 of P.L.1992, c.74  
27 (C.2C:58-3.1) and section 1 of P.L.1997, c.375 (C.2C:58-3.2).

28 (3) Prior to a transaction conducted pursuant to this subsection,  
29 the retail dealer shall complete a National Instant Criminal  
30 Background Check of the person acquiring an antique cannon or a  
31 rifle or shotgun. In addition:

32 (a) the retail dealer shall submit to the Superintendent of State  
33 Police, on a form approved by the superintendent, information  
34 identifying and confirming the background check;

35 (b) every retail dealer shall maintain a record of transactions  
36 conducted pursuant to this section which shall be maintained at the  
37 address set forth on the retail dealer's license for inspection by a law  
38 enforcement officer during reasonable hours;

39 (c) a retail dealer may charge a fee for a transaction conducted  
40 pursuant to this subsection; and

41 (d) any record produced pursuant to this subsection shall not be  
42 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-  
43 1 et seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

44 c. Who may obtain. No person of good character and good  
45 repute in the community in which he lives, and who is not subject to  
46 any of the disabilities set forth in this section or other sections of  
47 this chapter, shall be denied a permit to purchase a handgun or a  
48 firearms purchaser identification card, except as hereinafter set

- 1 forth. No handgun purchase permit or firearms purchaser  
2 identification card shall be issued:
- 3 (1) To any person who has been convicted of any crime, or a  
4 disorderly persons offense involving an act of domestic violence as  
5 defined in section 3 of P.L.1991, c.261 (C.2C:25-19), whether or  
6 not armed with or possessing a weapon at the time of the offense;
- 7 (2) To any drug-dependent person as defined in section 2 of  
8 P.L.1970, c.226 (C.24:21-2), to any person who is confined for a  
9 mental disorder to a hospital, mental institution or sanitarium, or to  
10 any person who is presently an habitual drunkard;
- 11 (3) To any person who suffers from a physical defect or disease  
12 which would make it unsafe for him to handle firearms, to any  
13 person who has ever been confined for a mental disorder, or to any  
14 alcoholic unless any of the foregoing persons produces a certificate  
15 of a medical doctor or psychiatrist licensed in New Jersey, or other  
16 satisfactory proof, that he is no longer suffering from that particular  
17 disability in a manner that would interfere with or handicap him in  
18 the handling of firearms; to any person who knowingly falsifies any  
19 information on the application form for a handgun purchase permit  
20 or firearms purchaser identification card;
- 21 (4) To any person under the age of 18 years for a firearms  
22 purchaser identification card and to any person under the age of 21  
23 years for a permit to purchase a handgun;
- 24 (5) To any person where the issuance would not be in the interest  
25 of the public health, safety or welfare;
- 26 (6) To any person who is subject to a restraining order issued  
27 pursuant to the "Prevention of Domestic Violence Act of 1991",  
28 P.L.1991, c.261 (C.2C:25-17 et seq.) prohibiting the person from  
29 possessing any firearm;
- 30 (7) To any person who as a juvenile was adjudicated delinquent  
31 for an offense which, if committed by an adult, would constitute a  
32 crime and the offense involved the unlawful use or possession of a  
33 weapon, explosive or destructive device or is enumerated in  
34 subsection d. of section 2 of P.L.1997, c.117 (C.2C:43-7.2);
- 35 (8) To any person whose firearm is seized pursuant to the  
36 "Prevention of Domestic Violence Act of 1991", P.L.1991, c.261  
37 (C.2C:25-17 et seq.) and whose firearm has not been returned; or
- 38 (9) To any person named on the consolidated Terrorist Watchlist  
39 maintained by the Terrorist Screening Center administered by the  
40 Federal Bureau of Investigation;
- 41 (10) To any person who is subject to a court order prohibiting the  
42 custody, control, ownership, purchase, possession, or receipt of a  
43 firearm or ammunition issued pursuant to the "Extreme Risk  
44 Protective Order Act of 2018", P.L.2018, c.35 (C.2C:58-20 et al.);  
45 or
- 46 (11) To any person who is subject to a court order prohibiting the  
47 custody, control, ownership, purchase, possession, or receipt of a

1 firearm or ammunition issued pursuant to P.L.2021, c.327  
2 (C.2C:12-14 et al.).

3 d. Issuance. The chief of police of an organized full-time  
4 police department of the municipality where the applicant resides or  
5 the superintendent, in all other cases, shall upon application, issue  
6 to any person qualified under the provisions of subsection c. of this  
7 section a permit to purchase a handgun or a firearms purchaser  
8 identification card.

9 Any person aggrieved by the denial of a permit or identification  
10 card may request a hearing in the Superior Court of the county in  
11 which he resides if he is a resident of New Jersey or in the Superior  
12 Court of the county in which his application was filed if he is a  
13 nonresident. The request for a hearing shall be made in writing  
14 within 30 days of the denial of the application for a permit or  
15 identification card. The applicant shall serve a copy of his request  
16 for a hearing upon the chief of police of the municipality in which  
17 he resides, if he is a resident of New Jersey, and upon the  
18 superintendent in all cases. The hearing shall be held and a record  
19 made thereof within 30 days of the receipt of the application for a  
20 hearing by the judge of the Superior Court. No formal pleading and  
21 no filing fee shall be required as a preliminary to a hearing.  
22 Appeals from the results of a hearing shall be in accordance with  
23 law.

24 e. Applications. Applications for permits to purchase a  
25 handgun and for firearms purchaser identification cards shall be in  
26 the form prescribed by the superintendent and shall set forth the  
27 name, residence, place of business, age, date of birth, occupation,  
28 sex and physical description, including distinguishing physical  
29 characteristics, if any, of the applicant, and shall state whether the  
30 applicant is a citizen, whether he is an alcoholic, habitual drunkard,  
31 drug-dependent person as defined in section 2 of P.L.1970, c.226  
32 (C.24:21-2), whether he has ever been confined or committed to a  
33 mental institution or hospital for treatment or observation of a  
34 mental or psychiatric condition on a temporary, interim or  
35 permanent basis, giving the name and location of the institution or  
36 hospital and the dates of confinement or commitment, whether he  
37 has been attended, treated or observed by any doctor or psychiatrist  
38 or at any hospital or mental institution on an inpatient or outpatient  
39 basis for any mental or psychiatric condition, giving the name and  
40 location of the doctor, psychiatrist, hospital or institution and the  
41 dates of the occurrence, whether he presently or ever has been a  
42 member of any organization which advocates or approves the  
43 commission of acts of force and violence to overthrow the  
44 Government of the United States or of this State, or which seeks to  
45 deny others their rights under the Constitution of either the United  
46 States or the State of New Jersey, whether he has ever been  
47 convicted of a crime or disorderly persons offense, whether the  
48 person is subject to a restraining order issued pursuant to the

1 "Prevention of Domestic Violence Act of 1991", P.L.1991, c.261  
2 (C.2C:25-17 et seq.) prohibiting the person from possessing any  
3 firearm, whether the person is subject to a protective order issued  
4 pursuant to the "Extreme Risk Protective Order Act of 2018",  
5 P.L.2018, c.35 (C.2C:58-20 et al.), whether the person is subject to  
6 a protective order issued pursuant to P.L.2021, c.327 (C.2C:12-  
7 14 et al.) prohibiting the person from possessing any firearm, and  
8 other information as the superintendent shall deem necessary for the  
9 proper enforcement of this chapter. For the purpose of complying  
10 with this subsection, the applicant shall waive any statutory or other  
11 right of confidentiality relating to institutional confinement. The  
12 application shall be signed by the applicant and shall contain as  
13 references the names and addresses of two reputable citizens  
14 personally acquainted with him.

15 Application blanks shall be obtainable from the superintendent,  
16 from any other officer authorized to grant a permit or identification  
17 card, and from licensed retail dealers, or shall be made available  
18 through an online process established or made available by the  
19 superintendent.

20 The chief police officer or the superintendent shall obtain the  
21 fingerprints of the applicant and shall have them compared with any  
22 and all records of fingerprints in the municipality and county in  
23 which the applicant resides and also the records of the State Bureau  
24 of Identification and the Federal Bureau of Investigation, provided  
25 that an applicant for a handgun purchase permit who possesses a  
26 valid firearms purchaser identification card, or who has previously  
27 obtained a handgun purchase permit from the same licensing  
28 authority for which he was previously fingerprinted, and who  
29 provides other reasonably satisfactory proof of his identity, need not  
30 be fingerprinted again; however, the chief police officer or the  
31 superintendent shall proceed to investigate the application to  
32 determine whether or not the applicant has become subject to any of  
33 the disabilities set forth in this chapter.

34 f. Granting of permit or identification card; fee; term; renewal;  
35 revocation. The application for the permit to purchase a handgun  
36 together with a fee of \$2, or the application for the firearms  
37 purchaser identification card together with a fee of \$5, shall be  
38 delivered or forwarded to the licensing authority who shall  
39 investigate the same and, unless good cause for the denial thereof  
40 appears, shall grant the permit or the identification card, or both, if  
41 application has been made therefor, within 30 days from the date of  
42 receipt of the application for residents of this State and within 45  
43 days for nonresident applicants. A permit to purchase a handgun  
44 shall be valid for a period of 90 days from the date of issuance and  
45 may be renewed by the issuing authority for good cause for an  
46 additional 90 days. A firearms purchaser identification card shall  
47 be valid until such time as the holder becomes subject to any of the  
48 disabilities set forth in subsection c. of this section, whereupon the

1 card shall be void and shall be returned within five days by the  
2 holder to the superintendent, who shall then advise the licensing  
3 authority. Failure of the holder to return the firearms purchaser  
4 identification card to the superintendent within the five days shall  
5 be an offense under subsection a. of N.J.S.2C:39-10. Any firearms  
6 purchaser identification card may be revoked by the Superior Court  
7 of the county wherein the card was issued, after hearing upon  
8 notice, upon a finding that the holder thereof no longer qualifies for  
9 the issuance of the permit. The county prosecutor of any county,  
10 the chief police officer of any municipality or any citizen may apply  
11 to the court at any time for the revocation of the card.

12 There shall be no conditions or requirements added to the form  
13 or content of the application, or required by the licensing authority  
14 for the issuance of a permit or identification card, other than those  
15 that are specifically set forth in this chapter.

16 g. Disposition of fees. All fees for permits shall be paid to the  
17 State Treasury if the permit is issued by the superintendent, to the  
18 municipality if issued by the chief of police, and to the county  
19 treasurer if issued by the judge of the Superior Court.

20 h. Form of permit; quadruplicate; disposition of copies.

21 **【The】** (1) Except as otherwise provided in paragraph (2) of this  
22 subsection, the permit shall be in the form prescribed by the  
23 superintendent and shall be issued to the applicant in quadruplicate.  
24 Prior to the time he receives the handgun from the seller, the  
25 applicant shall deliver to the seller the permit in quadruplicate and  
26 the seller shall complete all of the information required on the form.  
27 Within five days of the date of the sale, the seller shall forward the  
28 original copy to the superintendent and the second copy to the chief  
29 of police of the municipality in which the purchaser resides, except  
30 that in a municipality having no chief of police, the copy shall be  
31 forwarded to the superintendent. The third copy shall then be  
32 returned to the purchaser with the pistol or revolver and the fourth  
33 copy shall be kept by the seller as a permanent record.

34 (2) The requirements of this subsection concerning the delivery  
35 and form of permit and disposition of copies shall not be applicable  
36 when these functions may be completed by utilizing an electronic  
37 system as described in paragraph (2) of subsection b. of  
38 N.J.S.2C:58-2 or section 5 of P.L. , c. (C. ) (pending before  
39 the Legislature as this bill).

40 i. Restriction on number of firearms person may purchase.  
41 Only one handgun shall be purchased or delivered on each permit  
42 and no more than one handgun shall be purchased within any 30-  
43 day period, but this limitation shall not apply to:

44 (1) a federal, State, or local law enforcement officer or agency  
45 purchasing handguns for use by officers in the actual performance  
46 of their law enforcement duties;

47 (2) a collector of handguns as curios or relics as defined in Title  
48 18, United States Code, section 921 (a) (13) who has in his

1 possession a valid Collector of Curios and Relics License issued by  
2 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

3 (3) transfers of handguns among licensed retail dealers,  
4 registered wholesale dealers and registered manufacturers;

5 (4) transfers of handguns from any person to a licensed retail  
6 dealer or a registered wholesale dealer or registered manufacturer;

7 (5) any transaction where the person has purchased a handgun  
8 from a licensed retail dealer and has returned that handgun to the  
9 dealer in exchange for another handgun within 30 days of the  
10 original transaction, provided the retail dealer reports the exchange  
11 transaction to the superintendent; or

12 (6) any transaction where the superintendent issues an exemption  
13 from the prohibition in this subsection pursuant to the provisions of  
14 section 4 of P.L.2009, c.186 (C.2C:58-3.4).

15 The provisions of this subsection shall not be construed to afford  
16 or authorize any other exemption from the regulatory provisions  
17 governing firearms set forth in chapter 39 and chapter 58 of Title  
18 2C of the New Jersey Statutes;

19 A person shall not be restricted as to the number of rifles or  
20 shotguns he may purchase, provided he possesses a valid firearms  
21 purchaser identification card and provided further that he signs the  
22 certification required in subsection b. of this section for each  
23 transaction.

24 j. Firearms passing to heirs or legatees. Notwithstanding any  
25 other provision of this section concerning the transfer, receipt or  
26 acquisition of a firearm, a permit to purchase or a firearms  
27 purchaser identification card shall not be required for the passing of  
28 a firearm upon the death of an owner thereof to his heir or legatee,  
29 whether the same be by testamentary bequest or by the laws of  
30 intestacy. The person who shall so receive, or acquire the firearm  
31 shall, however, be subject to all other provisions of this chapter. If  
32 the heir or legatee of the firearm does not qualify to possess or carry  
33 it, he may retain ownership of the firearm for the purpose of sale for  
34 a period not exceeding 180 days, or for a further limited period as  
35 may be approved by the chief law enforcement officer of the  
36 municipality in which the heir or legatee resides or the  
37 superintendent, provided that the firearm is in the custody of the  
38 chief law enforcement officer of the municipality or the  
39 superintendent during that period.

40 k. Sawed-off shotguns. Nothing in this section shall be  
41 construed to authorize the purchase or possession of any sawed-off  
42 shotgun.

43 l. Nothing in this section and in N.J.S.2C:58-2 shall apply to  
44 the sale or purchase of a visual distress signalling device approved  
45 by the United States Coast Guard, solely for possession on a private  
46 or commercial aircraft or any boat; provided, however, that no  
47 person under the age of 18 years shall purchase nor shall any person

1 sell to a person under the age of 18 years a visual distress signalling  
2 device.

3 m. The provisions of subsections a. and b. of this section and  
4 paragraphs (4) and (5) of subsection a. of N.J.S.2C:58-2 shall not  
5 apply to the purchase of firearms by a law enforcement agency for  
6 use by law enforcement officers in the actual performance of the  
7 current or former judge's duties, which purchase may be made  
8 directly from a manufacturer or from a licensed dealer located in  
9 this State or any other state.

10 n. For the purposes of this section, "immediate family" means a  
11 spouse, domestic partner as defined in section 3 of P.L.2003, c.246  
12 (C.26:8A-3), partner in a civil union couple as defined in section 2  
13 of P.L.2006, c.103 (C.37:1-29), parent, stepparent, grandparent,  
14 sibling, stepsibling, child, stepchild, and grandchild, as related by  
15 blood or by law.<sup>1</sup>

16 (cf: P.L.2021, c.327, s.6)

17

18 4. Section 1 of P.L.2007, c.318 (C.2C:58-3.3) is amended to  
19 read as follows:

20 1. a. As used in this act **["handgun"]**:

21 "Ammunition" means an object consisting of all of the following  
22 components: a fixed metallic or nonmetallic hull casing containing  
23 a primer; one or more projectiles, one or more bullets, or shot; and  
24 gunpowder. All of the specified components shall be present for an  
25 object to be ammunition. As used in this section, ammunition shall  
26 not include, without limitation, blank ammunition, air gun pellets,  
27 flare gun ammunition, nail gun ammunition, paint ball ammunition,  
28 or any non-fixed ammunition.

29 "Handgun ammunition" means ammunition **["specifically]**  
30 designed **["to"]** such that it may be used **["only"]** in a handgun,  
31 including ammunition specifically designed to be used only in a  
32 handgun, as well as ammunition intended for use in any other  
33 firearm and which may be interchangeable between rifles and  
34 handguns. "Handgun ammunition" shall not include **["blank**  
35 ammunition, air gun pellets, flare gun ammunition, nail gun  
36 ammunition, paint ball ammunition, or any non-fixed**"]** ammunition  
37 specifically designed to be used only in a rifle or shotgun.

38 b. **["No"]** A person shall not sell, give, transfer, assign or  
39 otherwise dispose of, or receive, purchase, or otherwise acquire  
40 handgun ammunition unless the purchaser, assignee, donee, receiver  
41 or holder is licensed as a manufacturer, wholesaler, or dealer under  
42 this chapter or is the holder of and possesses a valid firearms  
43 purchaser identification card, a valid copy of a permit to purchase a  
44 handgun, or a valid permit to carry a handgun and first exhibits  
45 **["such"]** the card or permit to the seller, donor, transferor, or assignor  
46 along with a valid, current driver's license; valid, current nondriver

1 identification card; or other valid, current government-issued form  
2 of photo identification.

3 c. No person shall sell, give, transfer, assign, or otherwise  
4 dispose of handgun ammunition to a person who is under 21 years  
5 of age.

6 d. The provisions of this section shall not apply to a collector  
7 of firearms or ammunition as curios or relics who purchases,  
8 receives, acquires, possesses, or transfers handgun ammunition  
9 which is recognized as being historical in nature or of historical  
10 significance.

11 e. A person who violates this section shall be guilty of a crime  
12 of the fourth degree, except that nothing contained herein shall be  
13 construed to prohibit the sale, transfer, assignment or disposition of  
14 handgun ammunition to or the purchase, receipt or acceptance of  
15 ammunition by a law enforcement agency or law enforcement  
16 official for law enforcement purposes.

17 f. Nothing in this section shall be construed to prohibit the  
18 transfer of ammunition for use in a lawfully transferred firearm in  
19 accordance with the provisions of section 1 of P.L.1992,  
20 c.74 (C.2C:58-3.1), section 1 of P.L.1997, c.375 (C.2C:58-3.2) or  
21 section 14 of P.L.1979, c.179 (C.2C:58-6.1).

22 g. Nothing in this section shall be construed to prohibit the sale  
23 of a de minimis amount of handgun ammunition at a firearms range  
24 operated by a licensed dealer; a law enforcement agency; a legally  
25 recognized military organization; or a rifle or pistol club which has  
26 filed a copy of its charter with the superintendent for immediate use  
27 at that range.

28 (cf: P.L.2007, c.318, s.1)

29

30 5. (New section) a. (1) The Superintendent of State Police  
31 shall develop a program for retail dealers of handgun ammunition to  
32 electronically report a record of any transaction involving the sale,  
33 transfer, assignment, or disposition of handgun ammunition and  
34 information relating to each transaction. The reported information  
35 shall include: the date of the transaction; the name of the  
36 manufacturer, the caliber or gauge, and the quantity of ammunition  
37 sold or transferred; the name, address, and date of birth of the  
38 purchaser; the identification used to establish the identity of the  
39 purchaser; and any other information the superintendent may  
40 require.

41 (2) Subject to the time limitations established in paragraph (2)  
42 of subsection c. of <sup>1</sup>section 2 of P.L. , c. (C. ) (pending  
43 before the Legislature as this bill) N.J.S.2C:58-2<sup>1</sup>, every retail  
44 dealer of ammunition as defined in section 1 of P.L.2007, c.318  
45 (C.2C:58-3.3) shall electronically report to the superintendent a  
46 record of any transaction involving the sale, transfer, assignment, or  
47 disposition of handgun ammunition by utilizing the program  
48 developed pursuant to this subsection.



1 <sup>1</sup>Any transaction involving the sale, transfer, assignment, or  
 2 disposition of 2,000 or more rounds of handgun ammunition and  
 3 information relating to each transaction shall be immediately  
 4 reported to the superintendent in accordance with this section and  
 5 paragraph (3) of subsection b. of N.J.S.2C:58-2.<sup>1</sup>

6 A retail dealer may charge a fee determined by the  
 7 superintendent for a transaction electronically reported pursuant to  
 8 this subsection.

9 <sup>2</sup>**[b. (1)** The superintendent shall develop a program for retail  
 10 dealers to electronically report a record of any transaction involving  
 11 the sale, transfer, assignment, or disposition of a firearm and  
 12 information relating to each transaction.

13 (2) Within a timeframe as determined by the superintendent,  
 14 every retail dealer of firearms shall electronically report to the  
 15 superintendent a record of any transaction involving the sale,  
 16 transfer, assignment, or disposition of a firearm by utilizing the  
 17 program developed pursuant to this subsection.

18 **c.] b.<sup>2</sup>** The superintendent shall establish a searchable,  
 19 electronic database containing the information reported pursuant  
 20 <sup>2</sup>**[subsections]** to subsection<sup>2</sup> a. <sup>2</sup>[and b.]<sup>2</sup> of this section, which  
 21 shall be available to law enforcement officers. <sup>1</sup>The Attorney  
 22 General shall have access to the information stored in the database  
 23 which shall be used for law enforcement purposes.<sup>1</sup> The  
 24 superintendent also shall establish security procedures to protect the  
 25 confidentiality of the information contained in the database, which  
 26 shall prevent access to the information by any person or entity that  
 27 is not lawfully entitled to it.

28 <sup>2</sup>**[d.] c.<sup>2</sup>** The superintendent shall develop an Internet-based or  
 29 other electronic system to process or facilitate the processing of any  
 30 or all of the following: application for and issuance of firearms  
 31 purchaser identification cards, permits to purchase a handgun, or  
 32 other permits authorized under this chapter.

33 <sup>2</sup>**[e.] d.<sup>2</sup>** Any record reported or produced pursuant to this  
 34 section shall not be considered a public record or government  
 35 record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.) or P.L.2001,  
 36 c.404 (C.47:1A-5 et al.).

37  
 38 6. This act shall take effect <sup>1</sup>**[immediately]** on the first day of  
 39 the seventh month next following the date of enactment, except the  
 40 Attorney General may take such anticipatory administrative action  
 41 in advance as shall be necessary for the implementation of this act<sup>1</sup>.

42  
 43  
 44  
 45  
 46 Regulates sale of handgun ammunition and develops system of  
 47 electronic reporting of handgun ammunition sales.

# ASSEMBLY, No. 1302

## STATE OF NEW JERSEY 220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Assemblyman REGINALD W. ATKINS**

**District 20 (Union)**

**Co-Sponsored by:**

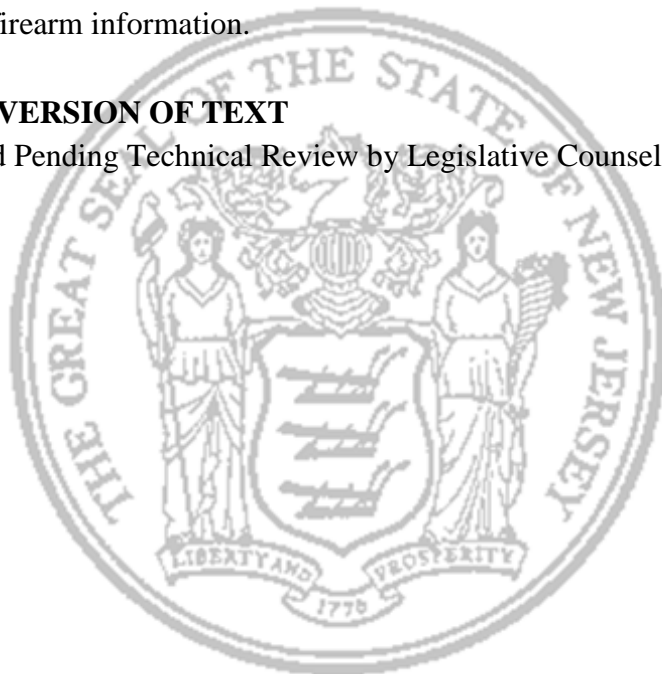
**Assemblywoman Jasey, Assemblymen McKeon, Tully, Assemblywomen Chaparro, Swain, Carter, McKnight, Jimenez, Assemblyman Spearman, Assemblywoman Jaffer, Assemblymen Wimberly, Sampson, Moen and Conaway**

**SYNOPSIS**

Regulates sale of handgun ammunition and develops system for electronic reporting of firearm information.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 6/9/2022)**

1 AN ACT concerning the sale of ammunition, amending N.J.S.2C:58-  
2 1, N.J.S.2C:58-2, N.J.S.2C:58-3, and P.L.2007, c.318, and  
3 supplementing Title 2C of the New Jersey Statutes.  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. N.J.S.2C:58-1 is amended to read as follows:

9 2C:58-1. Registration of manufacturers and wholesale dealers of  
10 firearms

11 a. Registration. Every manufacturer and wholesale dealer of  
12 firearms shall register with the superintendent as provided in this  
13 section. No person shall engage in the business of, or act as a  
14 manufacturer or wholesale dealer of firearms, or manufacture or sell  
15 at wholesale any firearm, until he has so registered.

16 Applications for registration shall be made on such forms as  
17 shall be prescribed by the superintendent, and the applicant shall  
18 furnish such information and other particulars as may be prescribed  
19 by law or by any rules or regulations promulgated by the  
20 superintendent. Each application for registration or renewal shall  
21 be accompanied by a fee of \$150.00.

22 The superintendent shall prescribe standards and qualifications  
23 for the registration of manufacturers and wholesalers of firearms,  
24 for the protection of the public safety, health and welfare. He shall  
25 refuse to register any applicant for registration unless he is satisfied  
26 that the applicant can be permitted to engage in business as a  
27 manufacturer or wholesale dealer of firearms without any danger to  
28 the public safety, health or welfare.

29 The superintendent shall issue a certificate of registration to  
30 every person registered under this section, and such certificate shall  
31 be valid for a period of 3 years from the date of issuance.

32 b. Wholesale dealer's agent. Every registered wholesale dealer  
33 of firearms shall cause each of his agents or employees actively  
34 engaged in the purchase or sale of firearms to be licensed with the  
35 superintendent as a wholesale dealer's agent. Applications for  
36 agents' licenses shall be submitted on such forms as shall be  
37 prescribed by the superintendent, and shall be signed by the  
38 registered wholesale dealer and by the agent. Each application shall  
39 be accompanied by a fee of \$5.00, and each license shall be valid  
40 for so long as the agent or employee remains in the employ of the  
41 wholesale dealer and the wholesale dealer remains validly  
42 registered under this section. The superintendent shall prescribe  
43 standards and qualifications for licensed wholesale dealers' agents,  
44 for the protection of the public safety, health and welfare.

45 c. Revocation of certificate of registration or license.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 The superintendent may, after reasonable notice to all affected  
2 parties and a hearing if requested, revoke any certificate of  
3 registration or agent's license if he finds that the registered or  
4 licensed person is no longer engaged in the business of  
5 manufacturing or wholesaling firearms in this State or that he can  
6 no longer be permitted to carry on such business without  
7 endangering the public safety, health or welfare. A certificate or  
8 license may be canceled at any time at the request of the registered  
9 or licensed person.

10 d. Appeals. Any person aggrieved by the refusal of the  
11 superintendent to register him as a manufacturer or wholesale dealer  
12 or a wholesale dealer's agent, or by revocation of his certificate or  
13 license, may appeal to the Appellate Division of the Superior Court.

14 e. Records of sales. Every manufacturer and wholesale dealer  
15 shall keep a detailed record of each firearm and all handgun  
16 ammunition sold by **him** the manufacturer and dealer. The  
17 firearm record shall include the date of sale, the name and address  
18 of the purchaser, a description of each firearm and the firearm's  
19 serial number [thereof]. The handgun ammunition record shall be  
20 in electronic form and shall contain the date of the transaction; the  
21 type, caliber, or gauge of the ammunition; the quantity of  
22 ammunition sold; the name and address of the purchaser; and any  
23 other information the superintendent shall deem necessary for the  
24 proper enforcement of this chapter. The records shall be available  
25 for inspection at all reasonable times by any law enforcement  
26 officer.

27 Every manufacturer and wholesale dealer shall establish a system  
28 for maintaining electronic records pursuant to this subsection within  
29 12 months of the effective date of P.L. , c. (C. ) (pending  
30 before the Legislature as this bill).

31 (cf: N.J.S.2C:58-1)

32

33 2. N.J.S.2C:58-2 is amended to read as follows:

34 2C:58-2. a. Licensing of retail dealers and their employees. No  
35 retail dealer of firearms nor any employee of a retail dealer shall  
36 sell or expose for sale, or possess with the intent of selling, any  
37 firearm unless licensed to do so as hereinafter provided. The  
38 superintendent shall prescribe standards and qualifications for retail  
39 dealers of firearms and their employees for the protection of the  
40 public safety, health and welfare.

41 Applications shall be made in the form prescribed by the  
42 superintendent, accompanied by a fee of \$50 payable to the  
43 superintendent, and shall be made to a judge of the Superior Court  
44 in the county where the applicant maintains his place of business.  
45 The judge shall grant a license to an applicant if he finds that the  
46 applicant meets the standards and qualifications established by the  
47 superintendent and that the applicant can be permitted to engage in  
48 business as a retail dealer of firearms or employee thereof without

1 any danger to the public safety, health and welfare. Each license  
2 shall be valid for a period of three years from the date of issuance,  
3 and shall authorize the holder to sell firearms at retail in a specified  
4 municipality.

5 In addition, every retail dealer shall pay a fee of \$5 for each  
6 employee actively engaged in the sale or purchase of firearms. The  
7 superintendent shall issue a license for each employee for whom  
8 said fee has been paid, which license shall be valid for so long as  
9 the employee remains in the employ of said retail dealer.

10 No license shall be granted to any retail dealer under the age of  
11 21 years or to any employee of a retail dealer under the age of 18 or  
12 to any person who could not qualify to obtain a permit to purchase a  
13 handgun or a firearms purchaser identification card, or to any  
14 corporation, partnership or other business organization in which the  
15 actual or equitable controlling interest is held or possessed by such  
16 an ineligible person.

17 All licenses shall be granted subject to the following conditions,  
18 for breach of any of which the license shall be subject to revocation  
19 on the application of any law enforcement officer and after notice  
20 and hearing by the issuing court:

21 (1) The business shall be carried on only in the building or  
22 buildings designated in the license, provided that repairs may be  
23 made by the dealer or his employees outside of such premises.

24 (2) The license or a copy certified by the issuing authority shall  
25 be displayed at all times in a conspicuous place on the business  
26 premises where it can be easily read.

27 (3) No firearm or imitation thereof shall be placed in any  
28 window or in any other part of the premises where it can be readily  
29 seen from the outside.

30 (4) No rifle or shotgun, except antique rifles or shotguns, shall  
31 be delivered to any person unless such person possesses and  
32 exhibits a valid firearms purchaser identification card and furnishes  
33 the seller, on the form prescribed by the superintendent, a  
34 certification signed by him setting forth his name, permanent  
35 address, firearms purchaser identification card number and such  
36 other information as the superintendent may by rule or regulation  
37 require. The certification shall be retained by the dealer and shall  
38 be made available for inspection by any law enforcement officer at  
39 any reasonable time.

40 (5) No handgun shall be delivered to any person unless:

41 (a) Such person possesses and exhibits a valid permit to  
42 purchase a firearm and at least seven days have elapsed since the  
43 date of application for the permit;

44 (b) The person is personally known to the seller or presents  
45 evidence of his identity;

46 (c) The handgun is unloaded and securely wrapped;

47 (d) The handgun is accompanied by a trigger lock or a locked  
48 case, gun box, container or other secure facility; provided, however,

1 this provision shall not apply to antique handguns or personalized  
2 handguns included in the roster pursuant to section 2 of P.L.2019,  
3 c.164 (C.2C:58-2.8). The exemptions afforded under this  
4 subparagraph for antique handguns and personalized handguns shall  
5 be narrowly construed, limited solely to the requirements set forth  
6 herein and shall not be deemed to afford or authorize any other  
7 exemption from the regulatory provisions governing firearms set  
8 forth in chapter 39 and chapter 58 of Title 2C of the New Jersey  
9 Statutes; and

10 (e) (Deleted by amendment, P.L.2019, c.164)

11 (6) The dealer shall keep a true record of every handgun sold,  
12 given or otherwise delivered or disposed of, in accordance with the  
13 provisions of subsections b. through e. of this section and the record  
14 shall note whether a trigger lock, locked case, gun box, container or  
15 other secure facility was delivered along with the handgun.

16 (7) A dealer shall not knowingly deliver more than one handgun  
17 to any person within any 30-day period. This limitation shall not  
18 apply to:

19 (a) a federal, State, or local law enforcement officer or agency  
20 purchasing handguns for use by officers in the actual performance  
21 of their law enforcement duties;

22 (b) a collector of handguns as curios or relics as defined in Title  
23 18, United States Code, section 921 (a) (13) who has in his  
24 possession a valid Collector of Curios and Relics License issued by  
25 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

26 (c) transfers of handguns among licensed retail dealers,  
27 registered wholesale dealers and registered manufacturers;

28 (d) any transaction where the person has purchased a handgun  
29 from a licensed retail dealer and has returned that handgun to the  
30 dealer in exchange for another handgun within 30 days of the  
31 original transaction, provided the retail dealer reports the exchange  
32 transaction to the superintendent; or

33 (e) any transaction where the superintendent issues an  
34 exemption from the prohibition in this subsection pursuant to the  
35 provisions of section 4 of P.L.2009, c.186 (C.2C:58-3.4).

36 b. Records. (1) Every person engaged in the retail business of  
37 selling, leasing or otherwise transferring a handgun, as a retail  
38 dealer or otherwise, shall keep a register in which shall be entered  
39 the time of the sale, lease or other transfer, the date thereof, the  
40 name, age, date of birth, occupation, residence and a physical  
41 description including distinguishing physical characteristics, if any,  
42 of the purchaser, lessee or transferee, the name and permanent home  
43 address of the person making the sale, lease or transfer, the place of  
44 the transaction, and the make, model, manufacturer's number,  
45 caliber and other marks of identification on such handgun and such  
46 other information as the superintendent shall deem necessary for the  
47 proper enforcement of this chapter. The register shall be retained by

1 the dealer and shall be made available at all reasonable hours for  
2 inspection by any law enforcement officer.

3 (2) Every person engaged in the retail business of selling,  
4 leasing, or otherwise transferring handgun ammunition, as a retail  
5 dealer or otherwise, shall keep an electronic record in which shall  
6 be entered the name of the manufacturer; the date of the transaction;  
7 the type; caliber or gauge of the ammunition; the quantity of the  
8 ammunition sold; the name, address, and date of birth of the  
9 purchaser; the identification used to establish the identity of the  
10 purchaser; and any other information the superintendent shall deem  
11 necessary for the proper enforcement of this chapter. The electronic  
12 records shall be retained by the dealer and shall be made available  
13 at all reasonable hours for inspection by any law enforcement  
14 officer, and additionally shall be electronically reported to the  
15 superintendent in accordance with section 4 of P.L. , c. (C. )  
16 (pending before the Legislature as this bill).

17 c. Forms of register.

18 **【The】** (1) Until the implementation of the electronic record  
19 system described in paragraph (2) of subsection b. of this section or  
20 section 4 of P.L. , c. (C. ) (pending before the Legislature as  
21 this bill), the superintendent shall prepare the form of the register as  
22 described in paragraph (1) of subsection b. of this section and  
23 furnish the same in triplicate to each person licensed to be engaged  
24 in the business of selling, leasing or otherwise transferring firearms.

25 (2) All retail dealers of handgun ammunition shall establish a  
26 system for maintaining electronic records of the sale or transfer of  
27 handgun ammunition within 12 months after the effective date of  
28 P.L. , c. (C. ) (pending before the Legislature as this bill).

29 d. Signatures in register. **【The】** Until the dealer implements an  
30 electronic record system as described in paragraph (2) of subsection  
31 b. of this section or section 4 of P.L. , c. (C. ) (pending  
32 before the Legislature as this bill), the purchaser, lessee or  
33 transferee of any handgun shall sign, and the dealer shall require  
34 him to sign his name to the register, in triplicate, and the person  
35 making the sale, lease or transfer shall affix his name, in triplicate,  
36 as a witness to the signature. The signatures, or the entry of an  
37 electronic signature in the electronic record system pursuant to  
38 paragraph (2) of subsection b. of this section or section 4 of  
39 P.L. , c. (C. ) (pending before the Legislature as this bill),  
40 shall constitute a representation of the accuracy of the information  
41 contained in the register.

42 e. Copies of register entries; delivery to chief of police or  
43 county clerk.

44 **【Within】** (1) Except as otherwise provided in paragraph (2) of  
45 this subsection, within five days of the date of the sale, assignment  
46 or transfer, the dealer shall deliver or mail by certified mail, return  
47 receipt requested, legible copies of the register forms to the office  
48 of the chief of police of the municipality in which the purchaser

1 resides, or to the office of the captain of the precinct of the  
2 municipality in which the purchaser resides, and to the  
3 superintendent. If hand delivered a receipt shall be given to the  
4 dealer therefor.

5 Where a sale, assignment or transfer is made to a purchaser who  
6 resides in a municipality having no chief of police, the dealer shall,  
7 within five days of the transaction, mail a duplicate copy of the  
8 register sheet to the clerk of the county within which the purchaser  
9 resides.

10 (2) A dealer shall not be required to use the triplicate form after  
11 the dealer establishes an electronic reporting system pursuant to  
12 paragraph (2) of subsection b. of this section or section 4 of  
13 P.L. , c. (C. ) (pending before the Legislature as this bill).  
14 (cf: P.L.2019, c.164, s.7)

15

16 3. N.J.S.2C:58-3 is amended to read as follows:

17 2C:58-3. a. Permit to purchase a handgun.

18 (1) No person shall sell, give, transfer, assign or otherwise  
19 dispose of, nor receive, purchase, or otherwise acquire a handgun  
20 unless the purchaser, assignee, donee, receiver or holder is licensed  
21 as a dealer under this chapter or has first secured a permit to  
22 purchase a handgun as provided by this section.

23 (2) A person who is not a licensed retail dealer and sells, gives,  
24 transfers, assigns, or otherwise disposes of, or receives, purchases  
25 or otherwise acquires a handgun pursuant to this section shall  
26 conduct the transaction through a licensed retail dealer.

27 The provisions of this paragraph shall not apply if the transaction  
28 is:

29 (a) between members of an immediate family as defined in  
30 subsection n. of this section;

31 (b) between law enforcement officers;

32 (c) between collectors of firearms or ammunition as curios or  
33 relics as defined in Title 18, U.S.C. section 921 (a) (13) who have  
34 in their possession a valid Collector of Curios and Relics License  
35 issued by the Bureau of Alcohol, Tobacco, Firearms, and  
36 Explosives; or

37 (d) a temporary transfer pursuant to section 1 of P.L.1992,  
38 c.74 (C.2C:58-3.1) or section 1 of P.L.1997, c.375 (C.2C:58-3.2).

39 (3) Prior to a transaction conducted pursuant to this subsection,  
40 the retail dealer shall complete a National Instant Criminal  
41 Background Check of the person acquiring the handgun. In  
42 addition:

43 (a) the retail dealer shall submit to the Superintendent of State  
44 Police, on a form approved by the superintendent, information  
45 identifying and confirming the background check;

46 (b) every retail dealer shall maintain a record of transactions  
47 conducted pursuant to this subsection, which shall be maintained at  
48 the address displayed on the retail dealer's license for inspection by



1 a law enforcement officer during reasonable hours;

2 (c) a retail dealer may charge a fee for a transaction conducted  
3 pursuant to this subsection; and

4 (d) any record produced pursuant to this subsection shall not be  
5 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et  
6 seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

7 b. Firearms purchaser identification card.

8 (1) No person shall sell, give, transfer, assign or otherwise  
9 dispose of nor receive, purchase or otherwise acquire an antique  
10 cannon or a rifle or shotgun, other than an antique rifle or shotgun,  
11 unless the purchaser, assignee, donee, receiver or holder is licensed  
12 as a dealer under this chapter or possesses a valid firearms  
13 purchaser identification card, and first exhibits the card to the seller,  
14 donor, transferor or assignor, and unless the purchaser, assignee,  
15 donee, receiver or holder signs a written certification, on a form  
16 prescribed by the superintendent, which shall indicate that he  
17 presently complies with the requirements of subsection c. of this  
18 section and shall contain his name, address and firearms purchaser  
19 identification card number or dealer's registration number. The  
20 certification shall be retained by the seller, as provided in paragraph  
21 (4) of subsection a. of N.J.S.2C:58-2, or, in the case of a person  
22 who is not a dealer, it may be filed with the chief of police of the  
23 municipality in which he resides or with the superintendent.

24 (2) A person who is not a licensed retail dealer and sells, gives,  
25 transfers, assigns, or otherwise disposes of, or receives, purchases  
26 or otherwise acquires an antique cannon or a rifle or shotgun  
27 pursuant to this section shall conduct the transaction through a  
28 licensed retail dealer.

29 The provisions of this paragraph shall not apply if the transaction  
30 is:

31 (a) between members of an immediate family as defined in  
32 subsection n. of this section;

33 (b) between law enforcement officers;

34 (c) between collectors of firearms or ammunition as curios or  
35 relics as defined in Title 18, U.S.C. section 921 (a) (13) who have  
36 in their possession a valid Collector of Curios and Relics License  
37 issued by the Bureau of Alcohol, Tobacco, Firearms, and  
38 Explosives; or

39 (d) a temporary transfer pursuant to section 1 of P.L.1992,  
40 c.74 (C.2C:58-3.1) and section 1 of P.L.1997, c.375 (C.2C:58-3.2).

41 (3) Prior to a transaction conducted pursuant to this subsection,  
42 the retail dealer shall complete a National Instant Criminal  
43 Background Check of the person acquiring an antique cannon or a  
44 rifle or shotgun. In addition:

45 (a) the retail dealer shall submit to the Superintendent of State  
46 Police, on a form approved by the superintendent, information  
47 identifying and confirming the background check;

- 1 (b) every retail dealer shall maintain a record of transactions  
2 conducted pursuant to this section which shall be maintained at the  
3 address set forth on the retail dealer's license for inspection by a law  
4 enforcement officer during reasonable hours;
- 5 (c) a retail dealer may charge a fee for a transaction conducted  
6 pursuant to this subsection; and
- 7 (d) any record produced pursuant to this subsection shall not be  
8 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et  
9 seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).
- 10 c. Who may obtain. No person of good character and good  
11 repute in the community in which he lives, and who is not subject to  
12 any of the disabilities set forth in this section or other sections of  
13 this chapter, shall be denied a permit to purchase a handgun or a  
14 firearms purchaser identification card, except as hereinafter set  
15 forth. No handgun purchase permit or firearms purchaser  
16 identification card shall be issued:
- 17 (1) To any person who has been convicted of any crime, or a  
18 disorderly persons offense involving an act of domestic violence as  
19 defined in section 3 of P.L.1991, c.261 (C.2C:25-19), whether or  
20 not armed with or possessing a weapon at the time of the offense;
- 21 (2) To any drug dependent person as defined in section 2 of  
22 P.L.1970, c.226 (C.24:21-2), to any person who is confined for a  
23 mental disorder to a hospital, mental institution or sanitarium, or to  
24 any person who is presently an habitual drunkard;
- 25 (3) To any person who suffers from a physical defect or disease  
26 which would make it unsafe for him to handle firearms, to any  
27 person who has ever been confined for a mental disorder, or to any  
28 alcoholic unless any of the foregoing persons produces a certificate  
29 of a medical doctor or psychiatrist licensed in New Jersey, or other  
30 satisfactory proof, that he is no longer suffering from that particular  
31 disability in a manner that would interfere with or handicap him in  
32 the handling of firearms; to any person who knowingly falsifies any  
33 information on the application form for a handgun purchase permit  
34 or firearms purchaser identification card;
- 35 (4) To any person under the age of 18 years for a firearms  
36 purchaser identification card and to any person under the age of 21  
37 years for a permit to purchase a handgun;
- 38 (5) To any person where the issuance would not be in the  
39 interest of the public health, safety or welfare;
- 40 (6) To any person who is subject to a restraining order issued  
41 pursuant to the "Prevention of Domestic Violence Act of 1991,"  
42 P.L.1991, c.261 (C.2C:25-17 et seq.) prohibiting the person from  
43 possessing any firearm;
- 44 (7) To any person who as a juvenile was adjudicated delinquent  
45 for an offense which, if committed by an adult, would constitute a  
46 crime and the offense involved the unlawful use or possession of a  
47 weapon, explosive or destructive device or is enumerated in  
48 subsection d. of section 2 of P.L.1997, c.117 (C.2C:43-7.2);

1 (8) To any person whose firearm is seized pursuant to the  
2 "Prevention of Domestic Violence Act of 1991," P.L.1991,  
3 c.261 (C.2C:25-17 et seq.) and whose firearm has not been  
4 returned; or

5 (9) To any person named on the consolidated Terrorist Watchlist  
6 maintained by the Terrorist Screening Center administered by the  
7 Federal Bureau of Investigation; or

8 (10) To any person who is subject to a court order prohibiting  
9 the custody, control, ownership, purchase, possession, or receipt of  
10 a firearm or ammunition issued pursuant to the "Extreme Risk  
11 Protective Order Act of 2018," P.L.2018, c.35 (C.2C:58-20 et al.).

12 d. Issuance. The chief of police of an organized full-time  
13 police department of the municipality where the applicant resides or  
14 the superintendent, in all other cases, shall upon application, issue  
15 to any person qualified under the provisions of subsection c. of this  
16 section a permit to purchase a handgun or a firearms purchaser  
17 identification card.

18 Any person aggrieved by the denial of a permit or identification  
19 card may request a hearing in the Superior Court of the county in  
20 which he resides if he is a resident of New Jersey or in the Superior  
21 Court of the county in which his application was filed if he is a  
22 nonresident. The request for a hearing shall be made in writing  
23 within 30 days of the denial of the application for a permit or  
24 identification card. The applicant shall serve a copy of his request  
25 for a hearing upon the chief of police of the municipality in which  
26 he resides, if he is a resident of New Jersey, and upon the  
27 superintendent in all cases. The hearing shall be held and a record  
28 made thereof within 30 days of the receipt of the application for a  
29 hearing by the judge of the Superior Court. No formal pleading and  
30 no filing fee shall be required as a preliminary to a hearing.  
31 Appeals from the results of a hearing shall be in accordance with  
32 law.

33 e. Applications. Applications for permits to purchase a  
34 handgun and for firearms purchaser identification cards shall be in  
35 the form prescribed by the superintendent and shall set forth the  
36 name, residence, place of business, age, date of birth, occupation,  
37 sex and physical description, including distinguishing physical  
38 characteristics, if any, of the applicant, and shall state whether the  
39 applicant is a citizen, whether he is an alcoholic, habitual drunkard,  
40 drug dependent person as defined in section 2 of P.L.1970,  
41 c.226 (C.24:21-2), whether he has ever been confined or committed  
42 to a mental institution or hospital for treatment or observation of a  
43 mental or psychiatric condition on a temporary, interim or  
44 permanent basis, giving the name and location of the institution or  
45 hospital and the dates of confinement or commitment, whether he  
46 has been attended, treated or observed by any doctor or psychiatrist  
47 or at any hospital or mental institution on an inpatient or outpatient  
48 basis for any mental or psychiatric condition, giving the name and

1 location of the doctor, psychiatrist, hospital or institution and the  
2 dates of the occurrence, whether he presently or ever has been a  
3 member of any organization which advocates or approves the  
4 commission of acts of force and violence to overthrow the  
5 Government of the United States or of this State, or which seeks to  
6 deny others their rights under the Constitution of either the United  
7 States or the State of New Jersey, whether he has ever been  
8 convicted of a crime or disorderly persons offense, whether the  
9 person is subject to a restraining order issued pursuant to the  
10 "Prevention of Domestic Violence Act of 1991," P.L.1991,  
11 c.261 (C.2C:25-17 et seq.) prohibiting the person from possessing  
12 any firearm, whether the person is subject to a protective order  
13 issued pursuant to the "Extreme Risk Protective Order Act of  
14 2018," P.L.2018, c.35 (C.2C:58-20 et al.) prohibiting the person  
15 from possessing any firearm, and other information as the  
16 superintendent shall deem necessary for the proper enforcement of  
17 this chapter. For the purpose of complying with this subsection, the  
18 applicant shall waive any statutory or other right of confidentiality  
19 relating to institutional confinement. The application shall be  
20 signed by the applicant and shall contain as references the names  
21 and addresses of two reputable citizens personally acquainted with  
22 him.

23 Application blanks shall be obtainable from the superintendent,  
24 from any other officer authorized to grant a permit or identification  
25 card, and from licensed retail dealers, or shall be made available  
26 through an online process established or made available by the  
27 superintendent.

28 The chief police officer or the superintendent shall obtain the  
29 fingerprints of the applicant and shall have them compared with any  
30 and all records of fingerprints in the municipality and county in  
31 which the applicant resides and also the records of the State Bureau  
32 of Identification and the Federal Bureau of Investigation, provided  
33 that an applicant for a handgun purchase permit who possesses a  
34 valid firearms purchaser identification card, or who has previously  
35 obtained a handgun purchase permit from the same licensing  
36 authority for which he was previously fingerprinted, and who  
37 provides other reasonably satisfactory proof of his identity, need not  
38 be fingerprinted again; however, the chief police officer or the  
39 superintendent shall proceed to investigate the application to  
40 determine whether or not the applicant has become subject to any of  
41 the disabilities set forth in this chapter.

42 f. Granting of permit or identification card; fee; term; renewal;  
43 revocation. The application for the permit to purchase a handgun  
44 together with a fee of \$2, or the application for the firearms  
45 purchaser identification card together with a fee of \$5, shall be  
46 delivered or forwarded to the licensing authority who shall  
47 investigate the same and, unless good cause for the denial thereof  
48 appears, shall grant the permit or the identification card, or both, if

1 application has been made therefor, within 30 days from the date of  
2 receipt of the application for residents of this State and within 45  
3 days for nonresident applicants. A permit to purchase a handgun  
4 shall be valid for a period of 90 days from the date of issuance and  
5 may be renewed by the issuing authority for good cause for an  
6 additional 90 days. A firearms purchaser identification card shall  
7 be valid until such time as the holder becomes subject to any of the  
8 disabilities set forth in subsection c. of this section, whereupon the  
9 card shall be void and shall be returned within five days by the  
10 holder to the superintendent, who shall then advise the licensing  
11 authority. Failure of the holder to return the firearms purchaser  
12 identification card to the superintendent within the five days shall  
13 be an offense under subsection a. of N.J.S.2C:39-10. Any firearms  
14 purchaser identification card may be revoked by the Superior Court  
15 of the county wherein the card was issued, after hearing upon  
16 notice, upon a finding that the holder thereof no longer qualifies for  
17 the issuance of the permit. The county prosecutor of any county,  
18 the chief police officer of any municipality or any citizen may apply  
19 to the court at any time for the revocation of the card.

20 There shall be no conditions or requirements added to the form  
21 or content of the application, or required by the licensing authority  
22 for the issuance of a permit or identification card, other than those  
23 that are specifically set forth in this chapter.

24 g. Disposition of fees. All fees for permits shall be paid to the  
25 State Treasury if the permit is issued by the superintendent, to the  
26 municipality if issued by the chief of police, and to the county  
27 treasurer if issued by the judge of the Superior Court.

28 h. Form of permit; quadruplicate; disposition of copies.

29 【The】 (1) Except as otherwise provided in paragraph (2) of this  
30 subsection, the permit shall be in the form prescribed by the  
31 superintendent and shall be issued to the applicant in quadruplicate.  
32 Prior to the time he receives the handgun from the seller, the  
33 applicant shall deliver to the seller the permit in quadruplicate and  
34 the seller shall complete all of the information required on the form.  
35 Within five days of the date of the sale, the seller shall forward the  
36 original copy to the superintendent and the second copy to the chief  
37 of police of the municipality in which the purchaser resides, except  
38 that in a municipality having no chief of police, the copy shall be  
39 forwarded to the superintendent. The third copy shall then be  
40 returned to the purchaser with the pistol or revolver and the fourth  
41 copy shall be kept by the seller as a permanent record.

42 (2) The requirements of this subsection concerning the delivery  
43 and form of permit and disposition of copies shall not be applicable  
44 when these functions may be completed by utilizing an electronic  
45 system as described in paragraph (2) of subsection b. of  
46 N.J.S.2C:58-2 or section 4 of P.L. , c. (C. ) (pending before  
47 the Legislature as this bill).

1 i. Restriction on number of firearms person may purchase.  
2 Only one handgun shall be purchased or delivered on each permit  
3 and no more than one handgun shall be purchased within any 30-  
4 day period, but this limitation shall not apply to:

5 (1) a federal, State, or local law enforcement officer or agency  
6 purchasing handguns for use by officers in the actual performance  
7 of their law enforcement duties;

8 (2) a collector of handguns as curios or relics as defined in Title  
9 18, United States Code, section 921 (a) (13) who has in his  
10 possession a valid Collector of Curios and Relics License issued by  
11 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

12 (3) transfers of handguns among licensed retail dealers,  
13 registered wholesale dealers and registered manufacturers;

14 (4) transfers of handguns from any person to a licensed retail  
15 dealer or a registered wholesale dealer or registered manufacturer;

16 (5) any transaction where the person has purchased a handgun  
17 from a licensed retail dealer and has returned that handgun to the  
18 dealer in exchange for another handgun within 30 days of the  
19 original transaction, provided the retail dealer reports the exchange  
20 transaction to the superintendent; or

21 (6) any transaction where the superintendent issues an  
22 exemption from the prohibition in this subsection pursuant to the  
23 provisions of section 4 of P.L.2009, c.186 (C.2C:58-3.4).

24 The provisions of this subsection shall not be construed to afford  
25 or authorize any other exemption from the regulatory provisions  
26 governing firearms set forth in chapter 39 and chapter 58 of Title  
27 2C of the New Jersey Statutes;

28 A person shall not be restricted as to the number of rifles or  
29 shotguns he may purchase, provided he possesses a valid firearms  
30 purchaser identification card and provided further that he signs the  
31 certification required in subsection b. of this section for each  
32 transaction.

33 j. Firearms passing to heirs or legatees. Notwithstanding any  
34 other provision of this section concerning the transfer, receipt or  
35 acquisition of a firearm, a permit to purchase or a firearms  
36 purchaser identification card shall not be required for the passing of  
37 a firearm upon the death of an owner thereof to his heir or legatee,  
38 whether the same be by testamentary bequest or by the laws of  
39 intestacy. The person who shall so receive, or acquire the firearm  
40 shall, however, be subject to all other provisions of this chapter. If  
41 the heir or legatee of the firearm does not qualify to possess or carry  
42 it, he may retain ownership of the firearm for the purpose of sale for  
43 a period not exceeding 180 days, or for a further limited period as  
44 may be approved by the chief law enforcement officer of the  
45 municipality in which the heir or legatee resides or the  
46 superintendent, provided that the firearm is in the custody of the  
47 chief law enforcement officer of the municipality or the  
48 superintendent during that period.

1 k. Sawed-off shotguns. Nothing in this section shall be  
2 construed to authorize the purchase or possession of any sawed-off  
3 shotgun.

4 l. Nothing in this section and in N.J.S.2C:58-2 shall apply to  
5 the sale or purchase of a visual distress signalling device approved  
6 by the United States Coast Guard, solely for possession on a private  
7 or commercial aircraft or any boat; provided, however, that no  
8 person under the age of 18 years shall purchase nor shall any person  
9 sell to a person under the age of 18 years a visual distress signalling  
10 device.

11 m. The provisions of subsections a. and b. of this section and  
12 paragraphs (4) and (5) of subsection a. of N.J.S.2C:58-2 shall not  
13 apply to the purchase of firearms by a law enforcement agency for  
14 use by law enforcement officers in the actual performance of the  
15 officers' official duties, which purchase may be made directly from  
16 a manufacturer or from a licensed dealer located in this State or any  
17 other state.

18 n. For the purposes of this section, "immediate family" means a  
19 spouse, domestic partner as defined in section 3 of P.L.2003,  
20 c.246 (C.26:8A-3), partner in a civil union couple as defined in  
21 section 2 of P.L.2006, c.103 (C.37:1-29), parent, stepparent,  
22 grandparent, sibling, stepsibling, child, stepchild, and grandchild, as  
23 related by blood or by law.  
24 (cf: P.L.2018, c.36, s.1)  
25

26 4. Section 1 of P.L.2007, c.318 (C.2C:58-3.3) is amended to  
27 read as follows:

28 1. a. As used in this act **["handgun"]**:

29 "Ammunition" means an object consisting of all of the following  
30 components: a fixed metallic or nonmetallic hull casing containing  
31 a primer; one or more projectiles, one or more bullets, or shot; and  
32 gunpowder. All of the specified components shall be present for an  
33 object to be ammunition. As used in this section, ammunition shall  
34 not include, without limitation, blank ammunition, air gun pellets,  
35 flare gun ammunition, nail gun ammunition, paint ball ammunition,  
36 or any non-fixed ammunition.

37 "Handgun ammunition" means ammunition **[specifically]**  
38 designed **[to]** such that it may be used **[only]** in a handgun,  
39 including ammunition specifically designed to be used only in a  
40 handgun, as well as ammunition intended for use in any other  
41 firearm and which may be interchangeable between rifles and  
42 handguns. "Handgun ammunition" shall not include **[blank**  
43 ammunition, air gun pellets, flare gun ammunition, nail gun  
44 ammunition, paint ball ammunition, or any non-fixed**]** ammunition  
45 specifically designed to be used only in a rifle or shotgun.

46 b. **[No]** A person shall not sell, give, transfer, assign or  
47 otherwise dispose of, or receive, purchase, or otherwise acquire

1 handgun ammunition unless the purchaser, assignee, donee, receiver  
2 or holder is licensed as a manufacturer, wholesaler, or dealer under  
3 this chapter or is the holder of and possesses a valid firearms  
4 purchaser identification card, a valid copy of a permit to purchase a  
5 handgun, or a valid permit to carry a handgun and first exhibits  
6 **[such]** the card or permit to the seller, donor, transferor, or assignor  
7 along with a valid, current driver's license; valid, current nondriver  
8 identification card; or other valid, current government-issued form  
9 of photo identification.

10 c. No person shall sell, give, transfer, assign, or otherwise  
11 dispose of handgun ammunition to a person who is under 21 years  
12 of age.

13 d. The provisions of this section shall not apply to a collector  
14 of firearms or ammunition as curios or relics who purchases,  
15 receives, acquires, possesses, or transfers handgun ammunition  
16 which is recognized as being historical in nature or of historical  
17 significance.

18 e. A person who violates this section shall be guilty of a crime  
19 of the fourth degree, except that nothing contained herein shall be  
20 construed to prohibit the sale, transfer, assignment or disposition of  
21 handgun ammunition to or the purchase, receipt or acceptance of  
22 ammunition by a law enforcement agency or law enforcement  
23 official for law enforcement purposes.

24 f. Nothing in this section shall be construed to prohibit the  
25 transfer of ammunition for use in a lawfully transferred firearm in  
26 accordance with the provisions of section 1 of P.L.1992,  
27 c.74 (C.2C:58-3.1), section 1 of P.L.1997, c.375 (C.2C:58-3.2) or  
28 section 14 of P.L.1979, c.179 (C.2C:58-6.1).

29 g. Nothing in this section shall be construed to prohibit the sale  
30 of a de minimis amount of handgun ammunition at a firearms range  
31 operated by a licensed dealer; a law enforcement agency; a legally  
32 recognized military organization; or a rifle or pistol club which has  
33 filed a copy of its charter with the superintendent for immediate use  
34 at that range.

35 (cf: P.L.2007, c.318, s.1)

36

37 5. (New section) a. (1) The Superintendent of State Police  
38 shall develop a program for retail dealers of handgun ammunition to  
39 electronically report a record of any transaction involving the sale,  
40 transfer, assignment, or disposition of handgun ammunition and  
41 information relating to each transaction. The reported information  
42 shall include: the date of the transaction; the name of the  
43 manufacturer, the caliber or gauge, and the quantity of ammunition  
44 sold or transferred; the name, address, and date of birth of the  
45 purchaser; the identification used to establish the identity of the  
46 purchaser; and any other information the superintendent may  
47 require.



1 (2) Subject to the time limitations established in paragraph (2)  
2 of subsection c. of section 2 of P.L. , c. (C. ) (pending  
3 before the Legislature as this bill), every retail dealer of  
4 ammunition as defined in section 1 of P.L.2007, c.318 (C.2C:58-  
5 3.3) shall electronically report to the superintendent a record of any  
6 transaction involving the sale, transfer, assignment, or disposition  
7 of handgun ammunition by utilizing the program developed  
8 pursuant to this subsection.

9 A retail dealer may charge a fee determined by the  
10 superintendent for a transaction electronically reported pursuant to  
11 this subsection.

12 b. (1) The superintendent shall develop a program for retail  
13 dealers to electronically report a record of any transaction involving  
14 the sale, transfer, assignment, or disposition of a firearm and  
15 information relating to each transaction.

16 (2) Within a timeframe as determined by the superintendent,  
17 every retail dealer of firearms shall electronically report to the  
18 superintendent a record of any transaction involving the sale,  
19 transfer, assignment, or disposition of a firearm by utilizing the  
20 program developed pursuant to this subsection.

21 c. The superintendent shall establish a searchable, electronic  
22 database containing the information reported pursuant subsections  
23 a. and b. of this section, which shall be available to law  
24 enforcement officers. The superintendent also shall establish  
25 security procedures to protect the confidentiality of the information  
26 contained in the database, which shall prevent access to the  
27 information by any person or entity that is not lawfully entitled to  
28 it.

29 d. The superintendent shall develop an Internet-based or other  
30 electronic system to process or facilitate the processing of any or all  
31 of the following: application for and issuance of firearms purchaser  
32 identification cards, permits to purchase a handgun, or other permits  
33 authorized under this chapter.

34 e. Any record reported or produced pursuant to this section  
35 shall not be considered a public record or government record  
36 pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.) or P.L.2001,  
37 c.404 (C.47:1A-5 et al.).

38  
39 6. This act shall take effect immediately.  
40  
41

42 STATEMENT  
43

44 This bill regulates the sale of handgun ammunition. Under current  
45 law, handgun ammunition is regulated to the extent that a purchaser is  
46 to establish his or her eligibility by exhibiting a firearms purchaser  
47 identification card, a permit to purchase a handgun, or a permit to  
48 carry a handgun, and that he or she is 21 years of age or older. This

1 bill requires an ammunition purchaser to also exhibit a driver's license,  
2 nondriver identification card, or other government-issued form of  
3 photo identification at the time of purchase.

4 The bill requires a manufacturer or dealer of handgun ammunition  
5 to keep a detailed, electronic record of handgun ammunition sales.  
6 The electronic record maintained by the manufacturer or wholesale  
7 dealer is required to contain the date of the transaction; the type,  
8 caliber, or gauge of the ammunition; the quantity of ammunition sold;  
9 the name and address of the purchaser; and any other information  
10 deemed necessary by the Superintendent of State Police. The  
11 electronic record maintained by the retail dealer is required to contain  
12 the name of the manufacturer, the date of the transaction, the type,  
13 caliber, or gauge of the ammunition; the quantity of the ammunition  
14 sold; the name, address, and date of birth of the purchaser; the  
15 identification used to establish the identity of the purchaser; and any  
16 other information deemed necessary by the superintendent. A  
17 manufacturer or dealer that is unable to maintain record in an  
18 electronic form is to be given 12 months from the effective date of this  
19 bill to establish a system for maintaining electronic records of the  
20 transfer of handgun ammunition. The electronic records are required  
21 to be made available for inspection at all reasonable hours by any law  
22 enforcement officer.

23 In addition, the bill requires electronic reporting of handgun,  
24 firearm, and handgun ammunition sales. Under the bill, every retail  
25 dealer is required to electronically report firearm, handgun, and  
26 handgun ammunition sales and transfers to the superintendent. The  
27 superintendent would be required to develop a program for retail  
28 dealers to electronically report this information. Regarding handgun  
29 ammunition, the reported information is to include the date of the  
30 transaction; the name of the manufacturer, the caliber or gauge, and  
31 the quantity of ammunition sold or transferred; the name, address, and  
32 date of birth of the purchaser; the identification used to establish the  
33 identity of the purchaser; and any other information that the  
34 superintendent requires. A retail dealer of handgun ammunition may  
35 charge a fee not to exceed \$5 for a transaction that is required to be  
36 electronically reported.

**LEGISLATIVE FISCAL ESTIMATE**  
**ASSEMBLY, No. 1302**  
**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

DATED: JUNE 24, 2022

**SUMMARY**

- Synopsis:** Regulates sale of handgun ammunition and develops system for electronic reporting of firearm information.
- Type of Impact:** Annual expenditure increase to the State General Fund.
- Agencies Affected:** Department of Law and Public Safety.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost Increase</b>		Indeterminate	

- The Office of Legislative Services (OLS) finds that the bill’s requirement that the Division of State Police develop and administer a program for retail dealers to electronically report transactions involving the sale, transfer, assignment, or disposition of a firearm or handgun ammunition, and to establish a searchable, secure electronic database containing that information, will result in an indeterminate annual State expenditure increase. Depending on the division’s resource allocation policies, the initial and ongoing workload may or may not augment State administrative expenditures.
- The OLS anticipates potential State cost savings from the elimination of the current paper-based reporting processes.

**BILL DESCRIPTION**

The bill requires handgun ammunition manufacturers and dealers to keep a detailed, electronic record of handgun ammunition sales. The electronic record is required to contain certain information as detailed in the bill. The electronic records are required to be made available for inspection at all reasonable hours by any law enforcement officer.

In addition, every retail dealer is required to electronically report firearm, handgun, and handgun ammunition sales and transfers to the Division of State Police. The division would be required to develop a program for retail dealers to electronically report this information. A

retail dealer of handgun ammunition may charge a fee not to exceed \$5 for a transaction that is required to be electronically reported.

Under the bill, the division is also authorized to develop an electronic process through which certain applications and permits can be obtained.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS finds that the bill's requirement that the Division of State Police develop and administer a program for retail dealers to electronically report transactions involving the sale, transfer, assignment, or disposition of a firearm or handgun ammunition, and to establish a searchable, secure electronic database containing that information, will result in an indeterminate annual State expenditure increase. The OLS also estimates that the bill could require the State to train manufacturers and wholesale and retail dealers of firearms and ammunition to use the electronic program and ensure compliance in maintaining electronic records, resulting in ongoing costs to the division. Depending on the division's resource allocation policies, the initial and ongoing added workload may or may not augment State administrative expenditures.

The OLS anticipates potential State cost savings from the elimination of the current paper-based application and reporting processes. For example, handgun permits currently must be completed in quadruplicate and submitted to the division, the chief of police of the buyer's municipality, the seller, and the purchaser. Under the bill, the division is to develop an electronic system to process or facilitate the processing of certain firearm-related applications and permits, which could streamline the current process and reduce State administrative costs.

*Section:           Judiciary*

*Analyst:          Anuja Pande Joshi*  
*Associate Research Analyst*

*Approved:       Thomas Koenig*  
*Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 1302**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 22, 2022

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 1302.

As amended and reported by the committee, Assembly Bill No. 1302 regulates the sale of handgun ammunition. Under current law, handgun ammunition is regulated to the extent that a purchaser is to establish his or her eligibility by exhibiting a firearms purchaser identification card, a permit to purchase a handgun, or a permit to carry a handgun, and that he or she is 21 years of age or older. This bill requires an ammunition purchaser to also exhibit a driver's license, nondriver identification card, or other government-issued form of photo identification at the time of purchase.

The bill requires a manufacturer or dealer of handgun ammunition to keep a detailed, electronic record of handgun ammunition sales. The electronic record maintained by the manufacturer or wholesale dealer is required to contain the date of the transaction; the type, caliber, or gauge of the ammunition; the quantity of ammunition sold; the name and address of the purchaser; and any other information deemed necessary by the Superintendent of State Police. The electronic record maintained by the retail dealer is required to contain the name of the manufacturer, the date of the transaction, the type, caliber, or gauge of the ammunition; the quantity of the ammunition sold; the name, address, and date of birth of the purchaser; the identification used to establish the identity of the purchaser; and any other information deemed necessary by the superintendent. The amended bill requires handgun ammunition retailers to immediately report to the State Police any transaction involving the sale, transfer, assignment, or disposition of 2,000 or more rounds of handgun ammunition and information relating to each transaction. A manufacturer or dealer that is unable to maintain records in an electronic form is to be given 12 months from the effective date of this bill to establish a system for maintaining electronic records of the transfer of handgun ammunition. The electronic records are required to be made available for inspection at all reasonable hours by any law enforcement officer.

In addition, the bill requires electronic reporting of handgun, firearm, and handgun ammunition sales. Under the bill, every retail

dealer is required to electronically report firearm, handgun, and handgun ammunition sales and transfers to the superintendent. The superintendent would be required to develop a database for retail dealers to electronically report this information. As amended, the bill grants the Attorney General access to the information to be used for law enforcement purposes. Regarding handgun ammunition, the reported information is to include the date of the transaction; the name of the manufacturer, the caliber or gauge, and the quantity of ammunition sold or transferred; the name, address, and date of birth of the purchaser; the identification used to establish the identity of the purchaser; and any other information that the superintendent requires. A retail dealer of handgun ammunition may charge a fee not to exceed \$5 for a transaction that is required to be electronically reported.

This bill was prefiled for introduction in the 2022-2023 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

#### COMMITTEE AMENDMENTS

The committee amended the bill to:

- 1) require handgun ammunition retailers to immediately report to the State Police any transaction involving the sale, transfer, assignment, or disposition of 2,000 or more rounds of handgun ammunition and information relating to each transaction;
- 2) allow the Attorney General to access the electronic database of handgun, firearm, and handgun ammunition sales for law enforcement purposes;
- 3) extend the effective date to the first day of the seventh month following the bill's enactment; and
- 4) make technical corrections.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

## ASSEMBLY, No. 1302

with committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 23, 2022

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 1302 (1R).

As amended and reported by the committee, Assembly Bill No. 1302 (1R) regulates the sale of handgun ammunition. Under current law, handgun ammunition is regulated to the extent that a purchaser is to establish his or her eligibility by exhibiting a firearms purchaser identification card, a permit to purchase a handgun, or a permit to carry a handgun, and that he or she is 21 years of age or older. This bill requires an ammunition purchaser to also exhibit a driver's license, nondriver identification card, or other government-issued form of photo identification at the time of purchase.

The bill requires a manufacturer or dealer of handgun ammunition to keep a detailed, electronic record of handgun ammunition sales. The electronic record maintained by the manufacturer or wholesale dealer is required to contain the date of the transaction; the type, caliber, or gauge of the ammunition; the quantity of ammunition sold; the name and address of the purchaser; and any other information deemed necessary by the Superintendent of State Police. The electronic record maintained by the retail dealer is required to contain the name of the manufacturer, the date of the transaction, the type, caliber, or gauge of the ammunition; the quantity of the ammunition sold; the name, address, and date of birth of the purchaser; the identification used to establish the identity of the purchaser; and any other information deemed necessary by the superintendent. The amended bill requires handgun ammunition retailers to immediately report to the State Police any transaction involving the sale, transfer, assignment, or disposition of 2,000 or more rounds of handgun ammunition and information relating to each transaction. A manufacturer or dealer that is unable to maintain records in an electronic form is to be given 12 months from the effective date of this bill to establish a system for maintaining electronic records of the transfer of handgun ammunition. The electronic records are required to be made available for inspection at all reasonable hours by any law enforcement officer.

In addition, the bill requires the superintendent to establish a database for retail dealers to electronically report this information. As amended, the bill grants the Attorney General access to the information to be used for law enforcement purposes. The reported information is to include the date of the transaction; the name of the manufacturer, the caliber or gauge, and the quantity of ammunition sold or transferred; the name, address, and date of birth of the purchaser; the identification used to establish the identity of the purchaser; and any other information that the superintendent requires. A retail dealer of handgun ammunition may charge a fee not to exceed \$5 for a transaction that is required to be electronically reported.

COMMITTEE AMENDMENTS:

The committee amended the bill to remove the requirement that firearm sales be reported. As introduced, the bill required electronic reporting of both handgun ammunition and firearm sales.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that the bill's requirement that the Division of State Police develop and administer a program for retail dealers to electronically report transactions involving the sale, transfer, assignment, or disposition of a firearm or handgun ammunition, and to establish a searchable, secure electronic database containing that information, will result in an indeterminate annual State expenditure increase. Depending on the division's resource allocation policies, the initial and ongoing workload may or may not augment State administrative expenditures. The OLS anticipates potential State cost savings from the elimination of the current paper-based reporting processes.



# LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

**ASSEMBLY, No. 1302**

**STATE OF NEW JERSEY  
220th LEGISLATURE**

DATED: JULY 1, 2022

## SUMMARY

- Synopsis:** Regulates sale of handgun ammunition and develops system for electronic reporting of firearm information.
- Type of Impact:** Annual expenditure increase to the State General Fund.
- Agencies Affected:** Department of Law and Public Safety.

### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost Increase</b>		Indeterminate	

- The Office of Legislative Services (OLS) finds that the bill's requirement that the Division of State Police develop and administer a program for retail dealers to electronically report transactions involving the sale, transfer, assignment, or disposition of handgun ammunition, and to establish a searchable electronic database containing that information, will result in an indeterminate annual State expenditure increase. Depending on the division's resource allocation policies, the initial and ongoing workload may or may not augment State administrative expenditures.
- The OLS anticipates potential State cost savings from the elimination of the current paper-based reporting processes.

## BILL DESCRIPTION

Under current law, handgun ammunition is regulated to the extent that a purchaser is to establish his or her eligibility by exhibiting a firearms purchaser identification card, a permit to purchase a handgun, or a permit to carry a handgun, and that he or she is 21 years of age or older. This bill requires an ammunition purchaser to also exhibit a driver's license, nondriver identification card, or other government-issued form of photo identification at the time of purchase.

The bill requires a manufacturer or dealer of handgun ammunition to keep a detailed, electronic record of handgun ammunition sales. The bill requires handgun ammunition retailers to immediately report to the State Police any transaction involving the sale, transfer, assignment, or disposition of 2,000 or more rounds of handgun ammunition and information relating to each transaction. The electronic records are required to be made available for inspection at all reasonable hours by any law enforcement officer.

In addition, the bill requires the superintendent to establish a database for retail dealers to electronically report this information. The bill grants the Attorney General access to the information to be used for law enforcement purposes. The reported information is to include the date of the transaction; the name of the manufacturer, the caliber or gauge, and the quantity of ammunition sold or transferred; the name, address, and date of birth of the purchaser; the identification used to establish the identity of the purchaser; and any other information that the superintendent requires.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS finds that the bill's requirement that the Division of State Police develop and administer a program for retail dealers to electronically report transactions involving the sale, transfer, assignment, or disposition of handgun ammunition, and to establish a searchable electronic database containing that information, will result in an indeterminate annual State expenditure increase. Depending on the division's resource allocation policies, the initial and ongoing added workload may or may not augment State administrative expenditures.

The OLS anticipates potential State cost savings from the elimination of the current paper-based application and reporting processes. For example, handgun permits currently must be completed in quadruplicate and submitted to the division, the chief of police of the buyer's municipality, the seller, and the purchaser. Under the bill, the division is to develop an electronic system to process or facilitate the processing of certain firearm-related applications and permits, which could streamline the current process and reduce State administrative costs.

*Section:           Judiciary*

*Analyst:          Anuja Pande Joshi*  
*Associate Research Analyst*

*Approved:       Thomas Koenig*  
*Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

**SENATE, No. 2903**

---

**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

---

INTRODUCED JUNE 20, 2022

**Sponsored by:**  
**Senator JOSEPH P. CRYAN**  
**District 20 (Union)**

**SYNOPSIS**

Regulates sale of handgun ammunition and develops system for electronic reporting of firearm information.

**CURRENT VERSION OF TEXT**

As introduced.



S2903 CRYAN

2

1 AN ACT concerning the sale of ammunition, amending N.J.S.2C:58-  
2 1, N.J.S.2C:58-2, N.J.S.2C:58-3, and P.L.2007, c.318, and  
3 supplementing Title 2C of the New Jersey Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. N.J.S.2C:58-1 is amended to read as follows:

9 2C:58-1. Registration of manufacturers and wholesale dealers of  
10 firearms

11 a. Registration. Every manufacturer and wholesale dealer of  
12 firearms shall register with the superintendent as provided in this  
13 section. No person shall engage in the business of, or act as a  
14 manufacturer or wholesale dealer of firearms, or manufacture or sell  
15 at wholesale any firearm, until he has so registered.

16 Applications for registration shall be made on such forms as  
17 shall be prescribed by the superintendent, and the applicant shall  
18 furnish such information and other particulars as may be prescribed  
19 by law or by any rules or regulations promulgated by the  
20 superintendent. Each application for registration or renewal shall  
21 be accompanied by a fee of \$150.00.

22 The superintendent shall prescribe standards and qualifications  
23 for the registration of manufacturers and wholesalers of firearms,  
24 for the protection of the public safety, health and welfare. He shall  
25 refuse to register any applicant for registration unless he is satisfied  
26 that the applicant can be permitted to engage in business as a  
27 manufacturer or wholesale dealer of firearms without any danger to  
28 the public safety, health or welfare.

29 The superintendent shall issue a certificate of registration to  
30 every person registered under this section, and such certificate shall  
31 be valid for a period of 3 years from the date of issuance.

32 b. Wholesale dealer's agent. Every registered wholesale dealer  
33 of firearms shall cause each of his agents or employees actively  
34 engaged in the purchase or sale of firearms to be licensed with the  
35 superintendent as a wholesale dealer's agent. Applications for  
36 agents' licenses shall be submitted on such forms as shall be  
37 prescribed by the superintendent, and shall be signed by the  
38 registered wholesale dealer and by the agent. Each application shall  
39 be accompanied by a fee of \$5.00, and each license shall be valid  
40 for so long as the agent or employee remains in the employ of the  
41 wholesale dealer and the wholesale dealer remains validly  
42 registered under this section. The superintendent shall prescribe  
43 standards and qualifications for licensed wholesale dealers' agents,  
44 for the protection of the public safety, health and welfare.

45 c. Revocation of certificate of registration or license.

46 The superintendent may, after reasonable notice to all affected  
47 parties and a hearing if requested, revoke any certificate of

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 registration or agent's license if he finds that the registered or  
2 licensed person is no longer engaged in the business of  
3 manufacturing or wholesaling firearms in this State or that he can  
4 no longer be permitted to carry on such business without  
5 endangering the public safety, health or welfare. A certificate or  
6 license may be canceled at any time at the request of the registered  
7 or licensed person.

8 d. Appeals. Any person aggrieved by the refusal of the  
9 superintendent to register him as a manufacturer or wholesale dealer  
10 or a wholesale dealer's agent, or by revocation of his certificate or  
11 license, may appeal to the Appellate Division of the Superior Court.

12 e. Records of sales. Every manufacturer and wholesale dealer  
13 shall keep a detailed record of each firearm and all handgun  
14 ammunition sold by **him** the manufacturer and dealer. The  
15 firearm record shall include the date of sale, the name and address  
16 of the purchaser, a description of each firearm and the firearm's  
17 serial number [thereof]. The handgun ammunition record shall be  
18 in electronic form and shall contain the date of the transaction; the  
19 type, caliber, or gauge of the ammunition; the quantity of  
20 ammunition sold; the name and address of the purchaser; and any  
21 other information the superintendent shall deem necessary for the  
22 proper enforcement of this chapter. The records shall be available  
23 for inspection at all reasonable times by any law enforcement  
24 officer.

25 Every manufacturer and wholesale dealer shall establish a system  
26 for maintaining electronic records pursuant to this subsection within  
27 12 months of the effective date of P.L. , c. (C. ) (pending  
28 before the Legislature as this bill).

29 (cf: N.J.S.2C:58-1)

30

31 2. N.J.S.2C:58-2 is amended to read as follows:

32 2C:58-2. a. Licensing of retail dealers and their employees.  
33 No retail dealer of firearms nor any employee of a retail dealer shall  
34 sell or expose for sale, or possess with the intent of selling, any  
35 firearm unless licensed to do so as hereinafter provided. The  
36 superintendent shall prescribe standards and qualifications for retail  
37 dealers of firearms and their employees for the protection of the  
38 public safety, health and welfare.

39 Applications shall be made in the form prescribed by the  
40 superintendent, accompanied by a fee of \$50 payable to the  
41 superintendent, and shall be made to a judge of the Superior Court  
42 in the county where the applicant maintains his place of business.  
43 The judge shall grant a license to an applicant if he finds that the  
44 applicant meets the standards and qualifications established by the  
45 superintendent and that the applicant can be permitted to engage in  
46 business as a retail dealer of firearms or employee thereof without  
47 any danger to the public safety, health and welfare. Each license  
48 shall be valid for a period of three years from the date of issuance,

S2903 CRYAN

4

1 and shall authorize the holder to sell firearms at retail in a specified  
2 municipality.

3 In addition, every retail dealer shall pay a fee of \$5 for each  
4 employee actively engaged in the sale or purchase of firearms. The  
5 superintendent shall issue a license for each employee for whom  
6 said fee has been paid, which license shall be valid for so long as  
7 the employee remains in the employ of said retail dealer.

8 No license shall be granted to any retail dealer under the age of  
9 21 years or to any employee of a retail dealer under the age of 18 or  
10 to any person who could not qualify to obtain a permit to purchase a  
11 handgun or a firearms purchaser identification card, or to any  
12 corporation, partnership or other business organization in which the  
13 actual or equitable controlling interest is held or possessed by such  
14 an ineligible person.

15 All licenses shall be granted subject to the following conditions,  
16 for breach of any of which the license shall be subject to revocation  
17 on the application of any law enforcement officer and after notice  
18 and hearing by the issuing court:

19 (1) The business shall be carried on only in the building or  
20 buildings designated in the license, provided that repairs may be  
21 made by the dealer or his employees outside of such premises.

22 (2) The license or a copy certified by the issuing authority shall  
23 be displayed at all times in a conspicuous place on the business  
24 premises where it can be easily read.

25 (3) No firearm or imitation thereof shall be placed in any  
26 window or in any other part of the premises where it can be readily  
27 seen from the outside.

28 (4) No rifle or shotgun, except antique rifles or shotguns, shall  
29 be delivered to any person unless such person possesses and  
30 exhibits a valid firearms purchaser identification card and furnishes  
31 the seller, on the form prescribed by the superintendent, a  
32 certification signed by him setting forth his name, permanent  
33 address, firearms purchaser identification card number and such  
34 other information as the superintendent may by rule or regulation  
35 require. The certification shall be retained by the dealer and shall  
36 be made available for inspection by any law enforcement officer at  
37 any reasonable time.

38 (5) No handgun shall be delivered to any person unless:

39 (a) Such person possesses and exhibits a valid permit to  
40 purchase a firearm and at least seven days have elapsed since the  
41 date of application for the permit;

42 (b) The person is personally known to the seller or presents  
43 evidence of his identity;

44 (c) The handgun is unloaded and securely wrapped;

45 (d) The handgun is accompanied by a trigger lock or a locked  
46 case, gun box, container or other secure facility; provided, however,  
47 this provision shall not apply to antique handguns or personalized  
48 handguns included in the roster pursuant to section 2 of P.L.2019,

1 c.164 (C.2C:58-2.8). The exemptions afforded under this  
2 subparagraph for antique handguns and personalized handguns shall  
3 be narrowly construed, limited solely to the requirements set forth  
4 herein and shall not be deemed to afford or authorize any other  
5 exemption from the regulatory provisions governing firearms set  
6 forth in chapter 39 and chapter 58 of Title 2C of the New Jersey  
7 Statutes; and

8 (e) (Deleted by amendment, P.L.2019, c.164)

9 (6) The dealer shall keep a true record of every handgun sold,  
10 given or otherwise delivered or disposed of, in accordance with the  
11 provisions of subsections b. through e. of this section and the record  
12 shall note whether a trigger lock, locked case, gun box, container or  
13 other secure facility was delivered along with the handgun.

14 (7) A dealer shall not knowingly deliver more than one handgun  
15 to any person within any 30-day period. This limitation shall not  
16 apply to:

17 (a) a federal, State, or local law enforcement officer or agency  
18 purchasing handguns for use by officers in the actual performance  
19 of their law enforcement duties;

20 (b) a collector of handguns as curios or relics as defined in Title  
21 18, United States Code, section 921 (a) (13) who has in his  
22 possession a valid Collector of Curios and Relics License issued by  
23 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

24 (c) transfers of handguns among licensed retail dealers,  
25 registered wholesale dealers and registered manufacturers;

26 (d) any transaction where the person has purchased a handgun  
27 from a licensed retail dealer and has returned that handgun to the  
28 dealer in exchange for another handgun within 30 days of the  
29 original transaction, provided the retail dealer reports the exchange  
30 transaction to the superintendent; or

31 (e) any transaction where the superintendent issues an  
32 exemption from the prohibition in this subsection pursuant to the  
33 provisions of section 4 of P.L.2009, c.186 (C.2C:58-3.4).

34 b. Records. (1) Every person engaged in the retail business of  
35 selling, leasing or otherwise transferring a handgun, as a retail  
36 dealer or otherwise, shall keep a register in which shall be entered  
37 the time of the sale, lease or other transfer, the date thereof, the  
38 name, age, date of birth, occupation, residence and a physical  
39 description including distinguishing physical characteristics, if any,  
40 of the purchaser, lessee or transferee, the name and permanent home  
41 address of the person making the sale, lease or transfer, the place of  
42 the transaction, and the make, model, manufacturer's number,  
43 caliber and other marks of identification on such handgun and such  
44 other information as the superintendent shall deem necessary for the  
45 proper enforcement of this chapter. The register shall be retained by  
46 the dealer and shall be made available at all reasonable hours for  
47 inspection by any law enforcement officer.

1       (2) Every person engaged in the retail business of selling,  
2 leasing, or otherwise transferring handgun ammunition, as a retail  
3 dealer or otherwise, shall keep an electronic record in which shall  
4 be entered the name of the manufacturer; the date of the transaction;  
5 the type; caliber or gauge of the ammunition; the quantity of the  
6 ammunition sold; the name, address, and date of birth of the  
7 purchaser; the identification used to establish the identity of the  
8 purchaser; and any other information the superintendent shall deem  
9 necessary for the proper enforcement of this chapter. The electronic  
10 records shall be retained by the dealer and shall be made available  
11 at all reasonable hours for inspection by any law enforcement  
12 officer, and additionally shall be electronically reported to the  
13 superintendent in accordance with section 4 of P.L. , c. (C. )  
14 (pending before the Legislature as this bill).

15       c. Forms of register.

16       **【The】** (1) Until the implementation of the electronic record  
17 system described in paragraph (2) of subsection b. of this section or  
18 section 4 of P.L. , c. (C. ) (pending before the Legislature as  
19 this bill), the superintendent shall prepare the form of the register as  
20 described in paragraph (1) of subsection b. of this section and  
21 furnish the same in triplicate to each person licensed to be engaged  
22 in the business of selling, leasing or otherwise transferring firearms.

23       (2) All retail dealers of handgun ammunition shall establish a  
24 system for maintaining electronic records of the sale or transfer of  
25 handgun ammunition within 12 months after the effective date of  
26 P.L. , c. (C. ) (pending before the Legislature as this bill).

27       d. Signatures in register. **【The】** Until the dealer implements an  
28 electronic record system as described in paragraph (2) of subsection  
29 b. of this section or section 4 of P.L. , c. (C. ) (pending  
30 before the Legislature as this bill), the purchaser, lessee or  
31 transferee of any handgun shall sign, and the dealer shall require  
32 him to sign his name to the register, in triplicate, and the person  
33 making the sale, lease or transfer shall affix his name, in triplicate,  
34 as a witness to the signature. The signatures, or the entry of an  
35 electronic signature in the electronic record system pursuant to  
36 paragraph (2) of subsection b. of this section or section 4 of  
37 P.L. , c. (C. ) (pending before the Legislature as this bill),  
38 shall constitute a representation of the accuracy of the information  
39 contained in the register.

40       e. Copies of register entries; delivery to chief of police or  
41 county clerk.

42       **【Within】** (1) Except as otherwise provided in paragraph (2) of  
43 this subsection, within five days of the date of the sale, assignment  
44 or transfer, the dealer shall deliver or mail by certified mail, return  
45 receipt requested, legible copies of the register forms to the office  
46 of the chief of police of the municipality in which the purchaser  
47 resides, or to the office of the captain of the precinct of the  
48 municipality in which the purchaser resides, and to the



1 superintendent. If hand delivered a receipt shall be given to the  
2 dealer therefor.

3 Where a sale, assignment or transfer is made to a purchaser who  
4 resides in a municipality having no chief of police, the dealer shall,  
5 within five days of the transaction, mail a duplicate copy of the  
6 register sheet to the clerk of the county within which the purchaser  
7 resides.

8 (2) A dealer shall not be required to use the triplicate form after  
9 the dealer establishes an electronic reporting system pursuant to  
10 paragraph (2) of subsection b. of this section or section 4 of  
11 P.L. , c. (C. ) (pending before the Legislature as this bill).  
12 (cf: P.L.2019, c.164, s.7)

13

14 3. N.J.S.2C:58-3 is amended to read as follows:

15 2C:58-3. a. Permit to purchase a handgun.

16 (1) No person shall sell, give, transfer, assign or otherwise  
17 dispose of, nor receive, purchase, or otherwise acquire a handgun  
18 unless the purchaser, assignee, donee, receiver or holder is licensed  
19 as a dealer under this chapter or has first secured a permit to  
20 purchase a handgun as provided by this section.

21 (2) A person who is not a licensed retail dealer and sells, gives,  
22 transfers, assigns, or otherwise disposes of, or receives, purchases  
23 or otherwise acquires a handgun pursuant to this section shall  
24 conduct the transaction through a licensed retail dealer.

25 The provisions of this paragraph shall not apply if the transaction  
26 is:

27 (a) between members of an immediate family as defined in  
28 subsection n. of this section;

29 (b) between law enforcement officers;

30 (c) between collectors of firearms or ammunition as curios or  
31 relics as defined in Title 18, U.S.C. section 921 (a) (13) who have  
32 in their possession a valid Collector of Curios and Relics License  
33 issued by the Bureau of Alcohol, Tobacco, Firearms, and  
34 Explosives; or

35 (d) a temporary transfer pursuant to section 1 of P.L.1992, c.74  
36 (C.2C:58-3.1) or section 1 of P.L.1997, c.375 (C.2C:58-3.2).

37 (3) Prior to a transaction conducted pursuant to this subsection,  
38 the retail dealer shall complete a National Instant Criminal  
39 Background Check of the person acquiring the handgun. In  
40 addition:

41 (a) the retail dealer shall submit to the Superintendent of State  
42 Police, on a form approved by the superintendent, information  
43 identifying and confirming the background check;

44 (b) every retail dealer shall maintain a record of transactions  
45 conducted pursuant to this subsection, which shall be maintained at  
46 the address displayed on the retail dealer's license for inspection by  
47 a law enforcement officer during reasonable hours;

1 (c) a retail dealer may charge a fee for a transaction conducted  
2 pursuant to this subsection; and

3 (d) any record produced pursuant to this subsection shall not be  
4 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et  
5 seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

6 b. Firearms purchaser identification card.

7 (1) No person shall sell, give, transfer, assign or otherwise  
8 dispose of nor receive, purchase or otherwise acquire an antique  
9 cannon or a rifle or shotgun, other than an antique rifle or shotgun,  
10 unless the purchaser, assignee, donee, receiver or holder is licensed  
11 as a dealer under this chapter or possesses a valid firearms  
12 purchaser identification card, and first exhibits the card to the seller,  
13 donor, transferor or assignor, and unless the purchaser, assignee,  
14 donee, receiver or holder signs a written certification, on a form  
15 prescribed by the superintendent, which shall indicate that he  
16 presently complies with the requirements of subsection c. of this  
17 section and shall contain his name, address and firearms purchaser  
18 identification card number or dealer's registration number. The  
19 certification shall be retained by the seller, as provided in paragraph  
20 (4) of subsection a. of N.J.S.2C:58-2, or, in the case of a person  
21 who is not a dealer, it may be filed with the chief of police of the  
22 municipality in which he resides or with the superintendent.

23 (2) A person who is not a licensed retail dealer and sells, gives,  
24 transfers, assigns, or otherwise disposes of, or receives, purchases  
25 or otherwise acquires an antique cannon or a rifle or shotgun  
26 pursuant to this section shall conduct the transaction through a  
27 licensed retail dealer.

28 The provisions of this paragraph shall not apply if the transaction  
29 is:

30 (a) between members of an immediate family as defined in  
31 subsection n. of this section;

32 (b) between law enforcement officers;

33 (c) between collectors of firearms or ammunition as curios or  
34 relics as defined in Title 18, U.S.C. section 921 (a) (13) who have  
35 in their possession a valid Collector of Curios and Relics License  
36 issued by the Bureau of Alcohol, Tobacco, Firearms, and  
37 Explosives; or

38 (d) a temporary transfer pursuant to section 1 of P.L.1992, c.74  
39 (C.2C:58-3.1) and section 1 of P.L.1997, c.375 (C.2C:58-3.2).

40 (3) Prior to a transaction conducted pursuant to this subsection,  
41 the retail dealer shall complete a National Instant Criminal  
42 Background Check of the person acquiring an antique cannon or a  
43 rifle or shotgun. In addition:

44 (a) the retail dealer shall submit to the Superintendent of State  
45 Police, on a form approved by the superintendent, information  
46 identifying and confirming the background check;

47 (b) every retail dealer shall maintain a record of transactions  
48 conducted pursuant to this section which shall be maintained at the

1 address set forth on the retail dealer's license for inspection by a law  
2 enforcement officer during reasonable hours;

3 (c) a retail dealer may charge a fee for a transaction conducted  
4 pursuant to this subsection; and

5 (d) any record produced pursuant to this subsection shall not be  
6 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et  
7 seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

8 c. Who may obtain. No person of good character and good  
9 repute in the community in which he lives, and who is not subject to  
10 any of the disabilities set forth in this section or other sections of  
11 this chapter, shall be denied a permit to purchase a handgun or a  
12 firearms purchaser identification card, except as hereinafter set  
13 forth. No handgun purchase permit or firearms purchaser  
14 identification card shall be issued:

15 (1) To any person who has been convicted of any crime, or a  
16 disorderly persons offense involving an act of domestic violence as  
17 defined in section 3 of P.L.1991, c.261 (C.2C:25-19), whether or  
18 not armed with or possessing a weapon at the time of the offense;

19 (2) To any drug-dependent person as defined in section 2 of  
20 P.L.1970, c.226 (C.24:21-2), to any person who is confined for a  
21 mental disorder to a hospital, mental institution or sanitarium, or to  
22 any person who is presently an habitual drunkard;

23 (3) To any person who suffers from a physical defect or disease  
24 which would make it unsafe for him to handle firearms, to any  
25 person who has ever been confined for a mental disorder, or to any  
26 alcoholic unless any of the foregoing persons produces a certificate  
27 of a medical doctor or psychiatrist licensed in New Jersey, or other  
28 satisfactory proof, that he is no longer suffering from that particular  
29 disability in a manner that would interfere with or handicap him in  
30 the handling of firearms; to any person who knowingly falsifies any  
31 information on the application form for a handgun purchase permit  
32 or firearms purchaser identification card;

33 (4) To any person under the age of 18 years for a firearms  
34 purchaser identification card and to any person under the age of 21  
35 years for a permit to purchase a handgun;

36 (5) To any person where the issuance would not be in the  
37 interest of the public health, safety or welfare;

38 (6) To any person who is subject to a restraining order issued  
39 pursuant to the "Prevention of Domestic Violence Act of 1991",  
40 P.L.1991, c.261 (C.2C:25-17 et seq.) prohibiting the person from  
41 possessing any firearm;

42 (7) To any person who as a juvenile was adjudicated delinquent  
43 for an offense which, if committed by an adult, would constitute a  
44 crime and the offense involved the unlawful use or possession of a  
45 weapon, explosive or destructive device or is enumerated in  
46 subsection d. of section 2 of P.L.1997, c.117 (C.2C:43-7.2);

1 (8) To any person whose firearm is seized pursuant to the  
2 "Prevention of Domestic Violence Act of 1991", P.L.1991, c.261  
3 (C.2C:25-17 et seq.) and whose firearm has not been returned; or

4 (9) To any person named on the consolidated Terrorist Watchlist  
5 maintained by the Terrorist Screening Center administered by the  
6 Federal Bureau of Investigation;

7 (10) To any person who is subject to a court order prohibiting the  
8 custody, control, ownership, purchase, possession, or receipt of a  
9 firearm or ammunition issued pursuant to the "Extreme Risk  
10 Protective Order Act of 2018", P.L.2018, c.35 (C.2C:58-20 et al.);  
11 or

12 (11) To any person who is subject to a court order prohibiting the  
13 custody, control, ownership, purchase, possession, or receipt of a  
14 firearm or ammunition issued pursuant to P.L.2021, c.327  
15 (C.2C:12-14 et al.).

16 d. Issuance. The chief of police of an organized full-time  
17 police department of the municipality where the applicant resides or  
18 the superintendent, in all other cases, shall upon application, issue  
19 to any person qualified under the provisions of subsection c. of this  
20 section a permit to purchase a handgun or a firearms purchaser  
21 identification card.

22 Any person aggrieved by the denial of a permit or identification  
23 card may request a hearing in the Superior Court of the county in  
24 which he resides if he is a resident of New Jersey or in the Superior  
25 Court of the county in which his application was filed if he is a  
26 nonresident. The request for a hearing shall be made in writing  
27 within 30 days of the denial of the application for a permit or  
28 identification card. The applicant shall serve a copy of his request  
29 for a hearing upon the chief of police of the municipality in which  
30 he resides, if he is a resident of New Jersey, and upon the  
31 superintendent in all cases. The hearing shall be held and a record  
32 made thereof within 30 days of the receipt of the application for a  
33 hearing by the judge of the Superior Court. No formal pleading and  
34 no filing fee shall be required as a preliminary to a hearing.  
35 Appeals from the results of a hearing shall be in accordance with  
36 law.

37 e. Applications. Applications for permits to purchase a  
38 handgun and for firearms purchaser identification cards shall be in  
39 the form prescribed by the superintendent and shall set forth the  
40 name, residence, place of business, age, date of birth, occupation,  
41 sex and physical description, including distinguishing physical  
42 characteristics, if any, of the applicant, and shall state whether the  
43 applicant is a citizen, whether he is an alcoholic, habitual drunkard,  
44 drug-dependent person as defined in section 2 of P.L.1970, c.226  
45 (C.24:21-2), whether he has ever been confined or committed to a  
46 mental institution or hospital for treatment or observation of a  
47 mental or psychiatric condition on a temporary, interim or  
48 permanent basis, giving the name and location of the institution or

1 hospital and the dates of confinement or commitment, whether he  
2 has been attended, treated or observed by any doctor or psychiatrist  
3 or at any hospital or mental institution on an inpatient or outpatient  
4 basis for any mental or psychiatric condition, giving the name and  
5 location of the doctor, psychiatrist, hospital or institution and the  
6 dates of the occurrence, whether he presently or ever has been a  
7 member of any organization which advocates or approves the  
8 commission of acts of force and violence to overthrow the  
9 Government of the United States or of this State, or which seeks to  
10 deny others their rights under the Constitution of either the United  
11 States or the State of New Jersey, whether he has ever been  
12 convicted of a crime or disorderly persons offense, whether the  
13 person is subject to a restraining order issued pursuant to the  
14 "Prevention of Domestic Violence Act of 1991", P.L.1991, c.261  
15 (C.2C:25-17 et seq.) prohibiting the person from possessing any  
16 firearm, whether the person is subject to a protective order issued  
17 pursuant to the "Extreme Risk Protective Order Act of 2018",  
18 P.L.2018, c.35 (C.2C:58-20 et al.), whether the person is subject to  
19 a protective order issued pursuant to P.L.2021, c.327 (C.2C:12-14  
20 et al.) prohibiting the person from possessing any firearm, and other  
21 information as the superintendent shall deem necessary for the  
22 proper enforcement of this chapter. For the purpose of complying  
23 with this subsection, the applicant shall waive any statutory or other  
24 right of confidentiality relating to institutional confinement. The  
25 application shall be signed by the applicant and shall contain as  
26 references the names and addresses of two reputable citizens  
27 personally acquainted with him.

28 Application blanks shall be obtainable from the superintendent,  
29 from any other officer authorized to grant a permit or identification  
30 card, and from licensed retail dealers, or shall be made available  
31 through an online process established or made available by the  
32 superintendent.

33 The chief police officer or the superintendent shall obtain the  
34 fingerprints of the applicant and shall have them compared with any  
35 and all records of fingerprints in the municipality and county in  
36 which the applicant resides and also the records of the State Bureau  
37 of Identification and the Federal Bureau of Investigation, provided  
38 that an applicant for a handgun purchase permit who possesses a  
39 valid firearms purchaser identification card, or who has previously  
40 obtained a handgun purchase permit from the same licensing  
41 authority for which he was previously fingerprinted, and who  
42 provides other reasonably satisfactory proof of his identity, need not  
43 be fingerprinted again; however, the chief police officer or the  
44 superintendent shall proceed to investigate the application to  
45 determine whether or not the applicant has become subject to any of  
46 the disabilities set forth in this chapter.

47 f. Granting of permit or identification card; fee; term; renewal;  
48 revocation. The application for the permit to purchase a handgun

1 together with a fee of \$2, or the application for the firearms  
2 purchaser identification card together with a fee of \$5, shall be  
3 delivered or forwarded to the licensing authority who shall  
4 investigate the same and, unless good cause for the denial thereof  
5 appears, shall grant the permit or the identification card, or both, if  
6 application has been made therefor, within 30 days from the date of  
7 receipt of the application for residents of this State and within 45  
8 days for nonresident applicants. A permit to purchase a handgun  
9 shall be valid for a period of 90 days from the date of issuance and  
10 may be renewed by the issuing authority for good cause for an  
11 additional 90 days. A firearms purchaser identification card shall  
12 be valid until such time as the holder becomes subject to any of the  
13 disabilities set forth in subsection c. of this section, whereupon the  
14 card shall be void and shall be returned within five days by the  
15 holder to the superintendent, who shall then advise the licensing  
16 authority. Failure of the holder to return the firearms purchaser  
17 identification card to the superintendent within the five days shall  
18 be an offense under subsection a. of N.J.S.2C:39-10. Any firearms  
19 purchaser identification card may be revoked by the Superior Court  
20 of the county wherein the card was issued, after hearing upon  
21 notice, upon a finding that the holder thereof no longer qualifies for  
22 the issuance of the permit. The county prosecutor of any county,  
23 the chief police officer of any municipality or any citizen may apply  
24 to the court at any time for the revocation of the card.

25 There shall be no conditions or requirements added to the form  
26 or content of the application, or required by the licensing authority  
27 for the issuance of a permit or identification card, other than those  
28 that are specifically set forth in this chapter.

29 g. Disposition of fees. All fees for permits shall be paid to the  
30 State Treasury if the permit is issued by the superintendent, to the  
31 municipality if issued by the chief of police, and to the county  
32 treasurer if issued by the judge of the Superior Court.

33 h. Form of permit; quadruplicate; disposition of copies.

34 **【The】** (1) Except as otherwise provided in paragraph (2) of this  
35 subsection, the permit shall be in the form prescribed by the  
36 superintendent and shall be issued to the applicant in quadruplicate.  
37 Prior to the time he receives the handgun from the seller, the  
38 applicant shall deliver to the seller the permit in quadruplicate and  
39 the seller shall complete all of the information required on the form.  
40 Within five days of the date of the sale, the seller shall forward the  
41 original copy to the superintendent and the second copy to the chief  
42 of police of the municipality in which the purchaser resides, except  
43 that in a municipality having no chief of police, the copy shall be  
44 forwarded to the superintendent. The third copy shall then be  
45 returned to the purchaser with the pistol or revolver and the fourth  
46 copy shall be kept by the seller as a permanent record.

47 (2) The requirements of this subsection concerning the delivery  
48 and form of permit and disposition of copies shall not be applicable

1 when these functions may be completed by utilizing an electronic  
2 system as described in paragraph (2) of subsection b. of  
3 N.J.S.2C:58-2 or section 4 of P.L. , c. (C. ) (pending before  
4 the Legislature as this bill).

5 i. Restriction on number of firearms person may purchase.  
6 Only one handgun shall be purchased or delivered on each permit  
7 and no more than one handgun shall be purchased within any 30-  
8 day period, but this limitation shall not apply to:

9 (1) a federal, State, or local law enforcement officer or agency  
10 purchasing handguns for use by officers in the actual performance  
11 of their law enforcement duties;

12 (2) a collector of handguns as curios or relics as defined in Title  
13 18, United States Code, section 921 (a) (13) who has in his  
14 possession a valid Collector of Curios and Relics License issued by  
15 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

16 (3) transfers of handguns among licensed retail dealers,  
17 registered wholesale dealers and registered manufacturers;

18 (4) transfers of handguns from any person to a licensed retail  
19 dealer or a registered wholesale dealer or registered manufacturer;

20 (5) any transaction where the person has purchased a handgun  
21 from a licensed retail dealer and has returned that handgun to the  
22 dealer in exchange for another handgun within 30 days of the  
23 original transaction, provided the retail dealer reports the exchange  
24 transaction to the superintendent; or

25 (6) any transaction where the superintendent issues an exemption  
26 from the prohibition in this subsection pursuant to the provisions of  
27 section 4 of P.L.2009, c.186 (C.2C:58-3.4).

28 The provisions of this subsection shall not be construed to afford  
29 or authorize any other exemption from the regulatory provisions  
30 governing firearms set forth in chapter 39 and chapter 58 of Title  
31 2C of the New Jersey Statutes;

32 A person shall not be restricted as to the number of rifles or  
33 shotguns he may purchase, provided he possesses a valid firearms  
34 purchaser identification card and provided further that he signs the  
35 certification required in subsection b. of this section for each  
36 transaction.

37 j. Firearms passing to heirs or legatees. Notwithstanding any  
38 other provision of this section concerning the transfer, receipt or  
39 acquisition of a firearm, a permit to purchase or a firearms  
40 purchaser identification card shall not be required for the passing of  
41 a firearm upon the death of an owner thereof to his heir or legatee,  
42 whether the same be by testamentary bequest or by the laws of  
43 intestacy. The person who shall so receive, or acquire the firearm  
44 shall, however, be subject to all other provisions of this chapter. If  
45 the heir or legatee of the firearm does not qualify to possess or carry  
46 it, he may retain ownership of the firearm for the purpose of sale for  
47 a period not exceeding 180 days, or for a further limited period as  
48 may be approved by the chief law enforcement officer of the

1 municipality in which the heir or legatee resides or the  
2 superintendent, provided that the firearm is in the custody of the  
3 chief law enforcement officer of the municipality or the  
4 superintendent during that period.

5 k. Sawed-off shotguns. Nothing in this section shall be  
6 construed to authorize the purchase or possession of any sawed-off  
7 shotgun.

8 l. Nothing in this section and in N.J.S.2C:58-2 shall apply to  
9 the sale or purchase of a visual distress signalling device approved  
10 by the United States Coast Guard, solely for possession on a private  
11 or commercial aircraft or any boat; provided, however, that no  
12 person under the age of 18 years shall purchase nor shall any person  
13 sell to a person under the age of 18 years a visual distress signalling  
14 device.

15 m. The provisions of subsections a. and b. of this section and  
16 paragraphs (4) and (5) of subsection a. of N.J.S.2C:58-2 shall not  
17 apply to the purchase of firearms by a law enforcement agency for  
18 use by law enforcement officers in the actual performance of the  
19 current or former judge's duties, which purchase may be made  
20 directly from a manufacturer or from a licensed dealer located in  
21 this State or any other state.

22 n. For the purposes of this section, "immediate family" means a  
23 spouse, domestic partner as defined in section 3 of P.L.2003, c.246  
24 (C.26:8A-3), partner in a civil union couple as defined in section 2  
25 of P.L.2006, c.103 (C.37:1-29), parent, stepparent, grandparent,  
26 sibling, stepsibling, child, stepchild, and grandchild, as related by  
27 blood or by law.

28 (cf: P.L.2021, c.327, s.6)

29

30 4. Section 1 of P.L.2007, c.318 (C.2C:58-3.3) is amended to  
31 read as follows:

32 1. a. As used in this act **["handgun"]**:

33 "Ammunition" means an object consisting of all of the following  
34 components: a fixed metallic or nonmetallic hull casing containing  
35 a primer; one or more projectiles, one or more bullets, or shot; and  
36 gunpowder. All of the specified components shall be present for an  
37 object to be ammunition. As used in this section, ammunition shall  
38 not include, without limitation, blank ammunition, air gun pellets,  
39 flare gun ammunition, nail gun ammunition, paint ball ammunition,  
40 or any non-fixed ammunition.

41 "Handgun ammunition" means ammunition [specifically]  
42 designed [to] such that it may be used [only] in a handgun,  
43 including ammunition specifically designed to be used only in a  
44 handgun, as well as ammunition intended for use in any other  
45 firearm and which may be interchangeable between rifles and  
46 handguns. "Handgun ammunition" shall not include [blank  
47 ammunition, air gun pellets, flare gun ammunition, nail gun



1 ammunition, paint ball ammunition, or any non-fixed] ammunition  
2 specifically designed to be used only in a rifle or shotgun.

3 b. **[No]** A person shall not sell, give, transfer, assign or  
4 otherwise dispose of, or receive, purchase, or otherwise acquire  
5 handgun ammunition unless the purchaser, assignee, donee, receiver  
6 or holder is licensed as a manufacturer, wholesaler, or dealer under  
7 this chapter or is the holder of and possesses a valid firearms  
8 purchaser identification card, a valid copy of a permit to purchase a  
9 handgun, or a valid permit to carry a handgun and first exhibits  
10 **[such]** the card or permit to the seller, donor, transferor, or assignor  
11 along with a valid, current driver's license; valid, current nondriver  
12 identification card; or other valid, current government-issued form  
13 of photo identification.

14 c. No person shall sell, give, transfer, assign, or otherwise  
15 dispose of handgun ammunition to a person who is under 21 years  
16 of age.

17 d. The provisions of this section shall not apply to a collector  
18 of firearms or ammunition as curios or relics who purchases,  
19 receives, acquires, possesses, or transfers handgun ammunition  
20 which is recognized as being historical in nature or of historical  
21 significance.

22 e. A person who violates this section shall be guilty of a crime  
23 of the fourth degree, except that nothing contained herein shall be  
24 construed to prohibit the sale, transfer, assignment or disposition of  
25 handgun ammunition to or the purchase, receipt or acceptance of  
26 ammunition by a law enforcement agency or law enforcement  
27 official for law enforcement purposes.

28 f. Nothing in this section shall be construed to prohibit the  
29 transfer of ammunition for use in a lawfully transferred firearm in  
30 accordance with the provisions of section 1 of P.L.1992,  
31 c.74 (C.2C:58-3.1), section 1 of P.L.1997, c.375 (C.2C:58-3.2) or  
32 section 14 of P.L.1979, c.179 (C.2C:58-6.1).

33 g. Nothing in this section shall be construed to prohibit the sale  
34 of a de minimis amount of handgun ammunition at a firearms range  
35 operated by a licensed dealer; a law enforcement agency; a legally  
36 recognized military organization; or a rifle or pistol club which has  
37 filed a copy of its charter with the superintendent for immediate use  
38 at that range.

39 (cf: P.L.2007, c.318, s.1)

40

41 5. (New section) a. (1) The Superintendent of State Police  
42 shall develop a program for retail dealers of handgun ammunition to  
43 electronically report a record of any transaction involving the sale,  
44 transfer, assignment, or disposition of handgun ammunition and  
45 information relating to each transaction. The reported information  
46 shall include: the date of the transaction; the name of the  
47 manufacturer, the caliber or gauge, and the quantity of ammunition  
48 sold or transferred; the name, address, and date of birth of the

1 purchaser; the identification used to establish the identity of the  
2 purchaser; and any other information the superintendent may  
3 require.

4 (2) Subject to the time limitations established in paragraph (2)  
5 of subsection c. of section 2 of P.L. , c. (C. ) (pending  
6 before the Legislature as this bill), every retail dealer of  
7 ammunition as defined in section 1 of P.L.2007, c.318 (C.2C:58-  
8 3.3) shall electronically report to the superintendent a record of any  
9 transaction involving the sale, transfer, assignment, or disposition  
10 of handgun ammunition by utilizing the program developed  
11 pursuant to this subsection.

12 A retail dealer may charge a fee determined by the  
13 superintendent for a transaction electronically reported pursuant to  
14 this subsection.

15 b. (1) The superintendent shall develop a program for retail  
16 dealers to electronically report a record of any transaction involving  
17 the sale, transfer, assignment, or disposition of a firearm and  
18 information relating to each transaction.

19 (2) Within a timeframe as determined by the superintendent,  
20 every retail dealer of firearms shall electronically report to the  
21 superintendent a record of any transaction involving the sale,  
22 transfer, assignment, or disposition of a firearm by utilizing the  
23 program developed pursuant to this subsection.

24 c. The superintendent shall establish a searchable, electronic  
25 database containing the information reported pursuant subsections  
26 a. and b. of this section, which shall be available to law  
27 enforcement officers. The superintendent also shall establish  
28 security procedures to protect the confidentiality of the information  
29 contained in the database, which shall prevent access to the  
30 information by any person or entity that is not lawfully entitled to  
31 it.

32 d. The superintendent shall develop an Internet-based or other  
33 electronic system to process or facilitate the processing of any or all  
34 of the following: application for and issuance of firearms purchaser  
35 identification cards, permits to purchase a handgun, or other permits  
36 authorized under this chapter.

37 e. Any record reported or produced pursuant to this section  
38 shall not be considered a public record or government record  
39 pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.) or P.L.2001,  
40 c.404 (C.47:1A-5 et al.).

41

42 6. This act shall take effect immediately.

43

44

45

#### STATEMENT

46

47 This bill regulates the sale of handgun ammunition. Under current  
48 law, handgun ammunition is regulated to the extent that a purchaser is

1 to establish his or her eligibility by exhibiting a firearms purchaser  
2 identification card, a permit to purchase a handgun, or a permit to  
3 carry a handgun, and that he or she is 21 years of age or older. This  
4 bill requires an ammunition purchaser to also exhibit a driver's license,  
5 nondriver identification card, or other government-issued form of  
6 photo identification at the time of purchase.

7 The bill requires a manufacturer or dealer of handgun ammunition  
8 to keep a detailed, electronic record of handgun ammunition sales.  
9 The electronic record maintained by the manufacturer or wholesale  
10 dealer is required to contain the date of the transaction; the type,  
11 caliber, or gauge of the ammunition; the quantity of ammunition sold;  
12 the name and address of the purchaser; and any other information  
13 deemed necessary by the Superintendent of State Police. The  
14 electronic record maintained by the retail dealer is required to contain  
15 the name of the manufacturer, the date of the transaction, the type,  
16 caliber, or gauge of the ammunition; the quantity of the ammunition  
17 sold; the name, address, and date of birth of the purchaser; the  
18 identification used to establish the identity of the purchaser; and any  
19 other information deemed necessary by the superintendent. A  
20 manufacturer or dealer that is unable to maintain record in an  
21 electronic form is to be given 12 months from the effective date of this  
22 bill to establish a system for maintaining electronic records of the  
23 transfer of handgun ammunition. The electronic records are required  
24 to be made available for inspection at all reasonable hours by any law  
25 enforcement officer.

26 In addition, the bill requires electronic reporting of handgun,  
27 firearm, and handgun ammunition sales. Under the bill, every retail  
28 dealer is required to electronically report firearm, handgun, and  
29 handgun ammunition sales and transfers to the superintendent. The  
30 superintendent would be required to develop a program for retail  
31 dealers to electronically report this information. Regarding handgun  
32 ammunition, the reported information is to include the date of the  
33 transaction; the name of the manufacturer, the caliber or gauge, and  
34 the quantity of ammunition sold or transferred; the name, address, and  
35 date of birth of the purchaser; the identification used to establish the  
36 identity of the purchaser; and any other information that the  
37 superintendent requires. A retail dealer of handgun ammunition may  
38 charge a fee not to exceed \$5 for a transaction that is required to be  
39 electronically reported.

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **SENATE, No. 2903**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 23, 2022

The Law and Public Safety Committee reports favorably Senate Bill No. 2903 with committee amendments.

As amended and reported by the committee, Senate Bill No. 2903 regulates the sale of handgun ammunition. Under current law, handgun ammunition is regulated to the extent that a purchaser is to establish his or her eligibility by exhibiting a firearms purchaser identification card, a permit to purchase a handgun, or a permit to carry a handgun, and that he or she is 21 years of age or older. This bill requires an ammunition purchaser to also exhibit a driver's license, nondriver identification card, or other government-issued form of photo identification at the time of purchase.

The bill requires a manufacturer or dealer of handgun ammunition to keep a detailed, electronic record of handgun ammunition sales. The electronic record maintained by the manufacturer or wholesale dealer is required to contain the date of the transaction; the type, caliber, or gauge of the ammunition; the quantity of ammunition sold; the name and address of the purchaser; and any other information deemed necessary by the Superintendent of State Police. The electronic record maintained by the retail dealer is required to contain the name of the manufacturer, the date of the transaction, the type, caliber, or gauge of the ammunition; the quantity of the ammunition sold; the name, address, and date of birth of the purchaser; the identification used to establish the identity of the purchaser; and any other information deemed necessary by the superintendent. The amended bill requires handgun ammunition retailers to immediately report to the State Police any transaction involving the sale, transfer, assignment, or disposition of 2,000 or more rounds of handgun ammunition and information relating to each transaction. A manufacturer or dealer that is unable to maintain records in an electronic form is to be given 12 months from the effective date of this bill to establish a system for maintaining electronic records of the transfer of handgun ammunition. The electronic records are required to be made available for inspection at all reasonable hours by any law enforcement officer.

In addition, the bill requires the superintendent to establish a database for retail dealers to electronically report this information. As

amended, the bill grants the Attorney General access to the information to be used for law enforcement purposes. The reported information is to include the date of the transaction; the name of the manufacturer, the caliber or gauge, and the quantity of ammunition sold or transferred; the name, address, and date of birth of the purchaser; the identification used to establish the identity of the purchaser; and any other information that the superintendent requires. A retail dealer of handgun ammunition may charge a fee not to exceed \$5 for a transaction that is required to be electronically reported.

#### COMMITTEE AMENDMENTS

The committee amended the bill to:

- 1) require handgun ammunition retailers to immediately report to the State Police any transaction involving the sale, transfer, assignment, or disposition of 2,000 or more rounds of handgun ammunition and information relating to each transaction;
- 2) allow the Attorney General to access the electronic database of handgun ammunition sales for law enforcement purposes;
- 3) extend the effective date to the first day of the seventh month following the bill's enactment;
- 4) remove the requirement that firearm sales be reported. As introduced, the bill required electronic reporting of both handgun ammunition and firearm sales; and
- 5) make technical corrections.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## SENATE, No. 2903

### STATE OF NEW JERSEY 220th LEGISLATURE

DATED: JULY 1, 2022

#### SUMMARY

- Synopsis:** Regulates sale of handgun ammunition and develops system for electronic reporting of firearm information.
- Type of Impact:** Annual expenditure increase to the State General Fund.
- Agencies Affected:** Department of Law and Public Safety.

#### Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase		Indeterminate	

- The Office of Legislative Services (OLS) finds that the bill's requirement that the Division of State Police develop and administer a program for retail dealers to electronically report transactions involving the sale, transfer, assignment, or disposition of handgun ammunition, and to establish a searchable electronic database containing that information, will result in an indeterminate annual State expenditure increase. Depending on the division's resource allocation policies, the initial and ongoing workload may or may not augment State administrative expenditures.
- The OLS anticipates potential annual State cost savings from the elimination of the current paper-based reporting processes.

#### BILL DESCRIPTION

Under current law, handgun ammunition is regulated to the extent that a purchaser is to establish his or her eligibility by exhibiting a firearms purchaser identification card, a permit to purchase a handgun, or a permit to carry a handgun, and that he or she is 21 years of age or older. This bill requires an ammunition purchaser to also exhibit a driver's license, nondriver identification card, or other government-issued form of photo identification at the time of purchase.

The bill requires a manufacturer or dealer of handgun ammunition to keep a detailed, electronic record of handgun ammunition sales. The bill requires handgun ammunition retailers to immediately report to the State Police any transaction involving the sale, transfer, assignment, or disposition of 2,000 or more rounds of handgun ammunition and information relating to each transaction. The electronic records are required to be made available for inspection at all reasonable hours by any law enforcement officer.

In addition, the bill requires the State Police to establish a database for retail dealers to electronically report this information. The bill grants the Attorney General access to the information to be used for law enforcement purposes. The reported information is to include the date of the transaction; the name of the manufacturer, the caliber or gauge, and the quantity of ammunition sold or transferred; the name, address, and date of birth of the purchaser; the identification used to establish the identity of the purchaser; and any other information that the Division of State Police requires.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS finds that the bill's requirement that the Division of State Police develop and administer a program for retail dealers to electronically report transactions involving the sale, transfer, assignment, or disposition of handgun ammunition, and to establish a searchable electronic database containing that information, will result in an indeterminate annual State expenditure increase. Depending on the division's resource allocation policies, the initial and ongoing added workload may or may not augment State administrative expenditures.

The OLS anticipates potential State cost savings from the elimination of the current paper-based application and reporting processes. For example, handgun permits currently must be completed in quadruplicate and submitted to the division, the chief of police of the buyer's municipality, the seller, and the purchaser. Under the bill, the division is to develop an electronic system to process or facilitate the processing of certain firearm-related applications and permits, which could streamline the current process and reduce State administrative costs.

*Section: Judiciary*

*Analyst: Anuja Pande Joshi  
Associate Research Analyst*

*Approved: Thomas Koenig  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# Governor Murphy Signs Sweeping Gun Safety Package 3.0 to Continue the Fight Against Gun Violence

07/5/2022

*Comprehensive Reforms Further Solidify New Jersey as National Leader in Gun Safety*

**METUCHEN** – Governor Phil Murphy today signed a sweeping series of gun safety reforms to continue the fight against gun violence in New Jersey. Since taking office in 2018, Governor Murphy has been a champion of bold, commonsense gun reform, and signed significant gun safety packages in June 2018 and July 2019. Today, the Governor reaffirmed his commitment to reduce the epidemic of gun violence in New Jersey and signed seven comprehensive gun safety bills, six of which were part of his Gun Safety 3.0 package that he introduced to the Legislature in April 2021 and has repeatedly championed over the last year. These gun safety reforms further solidify New Jersey as a national leader in gun safety and deliver on the promise to make communities safer.

"In the wake of horrific mass shootings in Highland Park, Illinois, Uvalde Texas, and Buffalo, New York, it is necessary that we take action in order to protect our communities. I am proud to sign these bills today and thank my legislative partners for sending them to my desk," **said Governor Murphy**. "As I have said before, this is a huge step forward for commonsense gun safety and for safer communities. But it cannot be our only or last step. I look forward to continuing to work with the Legislature and take action to make this state safer for all."

"In New Jersey we understand what it takes to actually stop the vicious cycle of mass shootings and everyday gun violence in New Jersey. We do it by passing common sense gun safety laws that work," **said Lt. Governor Sheila Oliver, who serves as Commissioner of the Department of Community Affairs**. "We cannot continue repeating the sentiment that there is nothing that can be done to end this scourge of gun violence. There is and we owe it to the next generation to sign common sense gun safety laws that cut the problem off at the source."

The seven gun safety reform bills include:

1. **A1765/S1893 (McKeon, Atkins, Jasey/Ruiz, Pou)** - Allows Attorney General to bring cause of action for certain public nuisance violations arising from sale or marketing of firearms.
2. **A1179/S1204 (Jasey, Swain, Jaffer/Cryan, Zwicker)** - Requires firearm owners who become New Jersey residents to obtain firearm purchaser identification card and register handguns acquired out-of-State.
3. **A4367/S2846 (McKeon, Greenwald/Scutari, Cryan)** - Upgrades certain crimes related to manufacturing firearms from third degree to second degree.
4. **A4366/S2905 (Atkins, Quijano/Scutari)** – Revises definition of destructive device to include certain .50 caliber rifles.
5. **A1302/S2903 (Greenwald, Reynolds-Jackson, Atkins/Cryan)** - Regulates sale of handgun ammunition and develops system of electronic reporting of handgun ammunition sales.\*
6. **A4370/S2906 (Reynolds-Jackson, Greenwald/Codey)** - Requires training for issuance of firearms purchaser identification card and permit to purchase handgun under certain circumstances; provides that firearms purchaser identification card include photograph and thumb print and remain valid for ten years.\*
7. **A4368/S2907 (Greenwald, McKeon/Codey)** - Requires firearm retailers to sell microstamping-enabled firearms upon determination of availability by AG.

"The legislation signed into law today provides New Jersey with robust tools to combat gun violence and hold accountable irresponsible gun dealers and manufacturers who profit from this bloodshed," **said Acting Attorney General Platkin**. "I thank Governor Murphy for his continued efforts to protect New Jersey residents from mass shootings and gun violence, even as the U.S. Supreme Court is doing its best to undermine those efforts. These new commonsense gun laws send a clear message that New Jersey will continue to serve as a model for states seeking to address the epidemic of gun violence."

"As criminals attempt to find new ways to circumvent the laws, we must adjust our tactics to keep illegal guns away from those individuals who have no regard for human life once the trigger is pulled," **said Colonel Patrick J. Callahan, Superintendent of the New Jersey State Police**. "Our efforts to limit gun violence must be comprehensive as we strive to protect the citizens of New Jersey. We will continue to work with the Governor's Office and the Office of Attorney General to keep our state safe."



"The threat of gun violence is a real and growing menace in our communities. These bills might not stop every gun crime, but they represent a thoughtful, common sense approach that will target areas of gun control in both the legal and illegal gun markets," **said Senate President Nicholas Scutari**. "They provide an opportunity to prevent gun violence and provide a safe overall environment for the public."

"New Jersey continues to lead the nation on fair and robust common-sense gun safety thanks to the Governor and Legislature's partnership that has made public safety a priority," **said Assembly Speaker Craig Coughlin**. "With the signing of these decisive, common-sense measures designed to stop gun violence in its tracks, we are advancing our commitment to ensure people in every New Jersey community can feel more safe."

"Far too many families have been torn apart by gun violence. We cannot stand by and accept the fact that firearms are the leading cause of death for children in the United States. While we desperately need federal legislation, I am thankful that the Governor is signing these key measures into law today," **said Senate Majority Leader M. Teresa Ruiz**. "We must do everything we can to stop this, and by allowing the Attorney General to take action and seek damages for shootings here in New Jersey, we can start holding individuals accountable for their actions."

"The surge in gun violence has been horribly tragic, with lives lost, victims wounded and loved ones suffering heartbreak," **said Senator Joe Cryan, former Union County Sheriff**. "As public servants, we must continue to do all we can to keep deadly firearms out of the hands of those who pose a danger, off the streets, away from schools and out of our communities."

"By having Governor Murphy sign these sensible gun safety bills into law, we are taking responsible actions to help keep our communities safe," **said Senator Andrew Zwicker**. "Making sure that owners of firearms follow the laws and procedures for gun safety is important. We have some of the strongest gun laws in the country – we want every resident to follow them."

"This senseless gun violence has gone on long enough, and I am glad to see Governor Murphy moving quickly by signing these bills to make our streets, schools and neighborhoods safer. We cannot continue down the path we are now on," **said Senator Nellie Pou**. "If gun manufacturers or retailers act in ways that constitute a 'public nuisance' in the eyes of the Attorney General they should be held liable for appropriate penalties."

"As we have all seen recently, gun violence is a real and scary risk in our country and we have to act now to stop it," **said Senator Richard Codey**. "We must ensure that gun owners are aware of how to safely handle and store a firearm to better protect our residents from unnecessary harm. Additionally, by incorporating microstamping technology, law enforcement would have a critical aid that would assist them in tracking down weapons used in crimes. We have to do all that we can on God's green Earth to stop these shootings from occurring. Everyone needs to be held accountable, and if you misuse a firearm, you shouldn't be able to get away with it."

"Just as residents are required to register their vehicles with New Jersey's Motor Vehicle Commission when they first move here, gun owners will now be held to the same standards," **said Assemblywoman Mila Jasey**. "This commonsense law will ensure that every legally-obtained gun is registered in our state to promote greater safety in our communities. We are proud of the work we have accomplished in New Jersey to strengthen gun safety laws."

"Firearm registration not only promotes responsible gun ownership, but helps protect first responders by alerting them to the possible presence of a firearm before they arrive at the scene of an emergency," **said Assemblywoman Lisa Swain**. "These benefits cannot be fully realized unless every legal gun owner participates in our registration system, which is why this new law is so critical to ensuring the safety of residents throughout our state."

"Closing the loophole that allows new residents to own a gun without going through the process of registration will help keep our communities safe," **said Assemblywoman Sadaf Jaffer**. "This new law encourages responsible gun ownership by requiring new residents to register their guns."

"In New Jersey, almost 80 percent of guns used in crimes are originally purchased outside of the state. The gun industry has made little effort to help stem the flow of guns to the illegal market through gun shows, flea markets, straw purchasers, and theft," **said Assemblyman John McKeon**. "The industry, essentially, has not taken responsibility for its part in the increasing gun violence and its influence through product marketing. Gun violence is a public health threat. New Jersey must have the ability to seek appropriate remedies against members of the gun industry who knowingly or recklessly endanger the public health and safety. No one should get a pass when lives are on the line."

"Too many families in New Jersey have seen the impact of gun violence in their communities. While our law enforcement officers work tirelessly to hold perpetrators of violent crimes accountable for their actions, those responsible for manufacturing and selling firearms often go unpunished for their role in creating significant threats to public health and safety," **said Assemblyman Reginald**

**Atkins.** "Members of the gun industry who have knowingly and recklessly put the public in danger deserve to see consequences for their actions."

"In New Jersey, we continue to implement common-sense measures to reach our goal of ending gun violence once and for all," **said Assemblyman Louis D. Greenwald.** "Today, with these new laws, we take another calculated step toward stemming gun trafficking by ensuring accountability and proper record-keeping at the point of sale for ammunition, encouraging responsible gun ownership, and increasing penalties for the manufacturing of illegal firearms."

"We are looking at a steep rise in violent crimes in communities across the state. We see this right here in the City of Trenton," **said Assemblywoman Verlina Reynolds-Jackson.** "We must all work together in creating safer communities for the families and children who live there. These new laws will help us reach that goal."

"New technology and the make-it-at-home kits are making it way too easy for guns to get into the wrong hands," **said Assemblywoman Annette Quijano.** "The new law sends the appropriate message: New Jersey will not stand for it. If a person manufactures or possesses a ghost gun, or 3-D printed weapon or even buys the parts to make them, there will be additional penalties if convicted."

"Gun violence is a public health crisis that has taken its toll on many cities across the United States, including in New Jersey," **said Assemblyman Gary Schaeer.** "With these new laws, we take one more step toward ending senseless violence in our communities."

"Almost daily in New Jersey, communities witness family members, neighbors, and friends lose their lives to senseless gun violence," **said Assemblyman Benjie Wimberly.** "We must provide law enforcement and prosecutors with the tools necessary to deter violent gun crimes on our streets. Today signifies the next step in this process and moves toward safer communities for New Jersey families."

"The Gun Safety Package 3.0 is ground breaking change. It includes legislation that fills loopholes not only in NJ, but federally, by enabling the attorney general to hold gun manufacturers accountable for misconduct that causes harm in New Jersey. This is a huge step towards safer communities across the state and much needed accountability that has been denied for years due to PLCAA," **said Raisa Rubin-Stankiewicz, NJ State Policy Associate with March For Our Lives.** "At the same time, we know this is not the end of our work. We will continue working with the governor to make sure that more life-saving measures are passed, including establishing a standard for safe gun storage."

"In the face of political gridlock at the federal level, New Jersey proves that states will lead the way in fighting gun violence," **said David Hogg, co-founder of March For Our Lives.** "This comprehensive package of bills shows us that bold action on gun safety is possible and further solidifies New Jersey as a proving ground for commonsense legislation. More needs to be done, but states across the country should look to New Jersey as a model of gun safety. March For Our Lives is happy to have been a part of this work over the last year and we're deeply grateful to the legislature and to Governor Phil Murphy for their consistent and admirable leadership."

"New Jersey's leaders understand our fight to end gun violence is not over," **said Nico Bocour, Government Affairs Director of Giffords.** "The legislation signed today is the most comprehensive package championed in the country this year and will make the Garden State's gun laws even stronger. Senate President Nicholas Scutari, Senate Majority Leader Teresa Ruiz, Speaker Craig Coughlin, and Assembly Majority Leader Lou Greenwald have taken meaningful steps to further protect families and communities from the ongoing gun violence crisis. We thank New Jersey Governor Phil Murphy for demonstrating what it means to have the courage to act to prevent gun violence."

"New Jersey is once again leading where most of our nation has failed: taking aggressive steps to protect our families against gun violence," **said Bill Castner, Senior Advisor to the Governor on Firearms for the state of New Jersey.** "I am proud of Governor Murphy for signing these critical bills into law, especially for doing so in the backyard of key gun safety proponent Assembly Speaker Coughlin. We desperately need Washington to follow suit."

"This moment in our gun violence crisis calls for decisive action from our leaders to put the safety of our communities first," **said Jenifer Berrier Gonzalez, a volunteer with the New Jersey chapter of Moms Demand Action.** "These are wide-ranging, effective, and innovative reforms to help ensure that all New Jerseyans are kept safe. While there is still more work to be done, we appreciate Governor Murphy for continuing to fight for meaningful action to end gun violence and for signing this bill package into law — reaffirming New Jersey's status as a leader in the gun violence prevention movement."

"With the passing of these 7 gun safety bills, NJ shows its on-going commitment to the safety of its residents. Brady NJ, along with the other gun safety advocacy groups, is proud to have been part of this effort to work with the Governor and the legislators

to move these bills though to their signing today," said **Karen Kanter of Brady NJ**. "In response to the SCOTUS decision, we support the Governor's serious efforts to diminish its impact. Along with those efforts we hope that the safe storage bill and the age increase for long guns bill will also receive the same support from the legislature."

# Governor Murphy Delivers Remarks on Gun Safety Package 3.0

07/5/2022

## Remarks as Prepared for Delivery

Good morning, everyone.

Thank you, Mayor Jonathan Busch, for welcoming us to Metuchen and kicking things off for us. With me are Acting Attorney General Matt Platkin ...

State Police Superintendent Colonel Pat Callahan ...

Assembly Speaker Craig Coughlin, Senate Majority Leader Teresa Ruiz, Senator and former Governor Richard Codey, Senators Joe Cryan and Andrew Zwicker, Assemblyman John McKeon, Assemblywomen Annette Quijano, Verlina Reynolds Jackson, and Sadaf Jaffer ...

... And so many more tremendous advocates and voices for gun safety than I can mention without us all roasting under the sun.

Fourteen months ago, on April 15, 2021, we came together to unveil what we called our Gun Safety 3.0 package of legislation.

We did so because while we had made great progress in becoming one of the nation's top states for gun safety, we knew there was more to do. Every life lost to gun violence is one life too many.

On that same day, April 15, 2021, there were four mass-shootings in America, including an incident at a FedEx facility in Indianapolis, Indiana, in which eight people were senselessly murdered by a former coworker.

In the time since, there have been more than 870 mass shootings in America – Oxford, Michigan ... San Jose, California ... Buffalo, New York ... Uvalde, Texas ... and just yesterday, Highland Park, Illinois ... among hundreds and hundreds more – roughly two mass shootings every single day since we put forward our plan to help stop gun violence.

And, in New Jersey since April 15, 2021, there have been 1,271 total shootings in New Jersey – shootings which have claimed 291 lives and left 1,313 others injured.

There are those who think this is all just the price of living in the United States ...

There are those who take seriously the words of the satirical website, The Onion, “No Way To Prevent This,’ Says Only Nation Where This Regularly Happens” ...

... And, sadly, it appears six of these mistaken people sit on the United States Supreme Court.

We believe different. We believe – no, we know – that we can take on the epidemic of gun violence and win. We know we can put in place strong and smart gun safety laws that are consistent with the 2nd Amendment and still protect our communities.

And, surely, there were those who said we would never get the gun safety bills we supported through the Legislature. There were those who said that we were too ambitious, that the gun lobby was too strong, and that our political system would not have the will to take on and win this fight.

But, again, we believed different. And guess what? Today, we are making Gun Safety Package 3.0 the law.

First, and perhaps most important, we are enacting a public nuisance law that will allow our Attorney General to hold gun manufacturers and distributors responsible for the damage caused by the reckless unchecked marketing and sale of firearms.

We're also saying, in no uncertain terms, that if you want to buy a gun you need to first complete a certified safety course – no different than if you want to drive a car you have to get a license showing you know how to safely use it ...

The loophole that allowed gunowners moving into New Jersey to skirt the procedures that established New Jersey residents follow in order to qualify to purchase or obtain firearms is hereby closed ...

We are requiring that when microstamping technology is commercially viable, gun retailers must offer firearms equipped with this technology, with a financial incentive for customers to choose it. Microstamping leaves a one-of-a-kind imprint on every round of ammunition fired, so law enforcement can trace a specific round to a specific gun and identify perpetrators of gun violence ...

And we're finally requiring electronic record-keeping of all ammunition sold in New Jersey to help law enforcement monitor suspicious purchases and identify bad-apple dealers and straw purchasers ...

We're increasing the penalties on those who break our existing law prohibiting the manufacturing or transporting of ghost guns – because if you're creating or transferring these untraceable guns, you're not a "responsible gun owner," you're a criminal.

And, once and for all, we are banning the sale of .50 caliber weapons. I have often asked, who can seriously argue that a weapon that can take down a helicopter belongs on our streets? Sadly, one person who answered "yes" to that question was my predecessor, who vetoed this bill in 2013. Today, we reverse that terrible mistake.

These are now the laws of our land. They are commonsense. They are smart. They live up to our Jersey values. A poll released last week proved the overwhelming popularity of these laws among the people of New Jersey.

That same poll also showed that too many residents – especially parents with school-aged kids – live fearful of being the victim of gun violence.

So, these are not going to be our last words on gun safety. We cannot walk away from here today – none of us – thinking our job is done. Because it is not.

Not even two weeks ago, the right-wing majority that controls the United States Supreme Court erased our ability to decide for ourselves who can, and who can't, get a permit to carry a concealed weapon.

Not even two weeks ago, the right-wing majority that controls the United States Supreme Court erased our ability to decide for ourselves who can, and who can't, get a permit to carry a concealed weapon.

This past Thursday, they signaled their desire to revisit our ban on high-capacity magazines, telling the lower courts to look at it again. And they also told the lower courts to look anew at Maryland's prohibition of dozens of models of assault rifles, some of which are also banned here in New Jersey.

But we're not going to just lay down and let our streets, our houses of worship, our supermarkets and shopping malls, our sports arenas, our bars, or anywhere else be overrun with hidden guns capable of unleashing a hail of bullets.

I look forward to working with the Legislature to address this awful decision with strong and smart laws expanding the number of places where firearms cannot be carried and saying, without any doubt, that you can't bring your gun onto private property without explicit permission to do so.

In the face of the Supreme Court's tragic and wrong-headed ruling, we need those laws – and all of these laws – more than ever.

And, now more than ever, we cannot let up in the fight to keep our communities safe.

I have mentioned it before – New Jersey has one of the nation's lowest rates of gun violence and gun deaths because we are among the leaders in gun safety. I am not going to give up on always looking for new ways to save lives, protect communities, and ensure that every resident can live without fear.

And I know that none of you are going to give up, either.

I must extend a special thank you to Speaker Craig Coughlin, who stood with me in this very location last December and committed to getting these bills done. We would not be here today without your leadership and the work of your team, including Dan Harris and Mark Iaconelli, who worked closely with my team to get these bills over the finish line.

And I also want to thank Senate President Nick Scutari, who after taking the reins of the Senate in January, joined us in this journey and ensured that we would not respond to the horrors of Buffalo and Uvalde by doing nothing.

So, to the two leaders, and to every legislator with us today who voted on the right side of history, thank you. To all the members of law enforcement who stand with us for safer communities, thank you.

And, to all the folks from Everytown and Moms Demand Action, Giffords, Brady, March for Our Lives, Sandy Hook Promise, Ceasefire NJ, and the Rutgers Gun Violence Research Center ... from the Newark Street Team, Paterson Healing Collective, and Jersey City Together, on down to every community-based organization doing the hard work at street-level, thank you most of all!

Today is a day to celebrate. But it is not a day to rest on any laurels. Let's keep at it.

I cannot wait to sign these bills into law, but before I do, I want us to hear from some of the gun safety champions with us, starting with the Speaker of the General Assembly, Craig Coughlin.