

LEGISLATIVE HISTORY OF R.S. 2A:151-1 et seq.
(Firearms)

(1966 amendment)

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At least as early as 1957, bills to require permits for the purchase of firearms were introduced in the Legislature:

1957 - S177 - Crane.
Bill withdrawn.

1958 - S26 - Crane.
Passed Senate.
Recommitted in Assembly.

1963 - A549 - Farrington, Sweeney & Panaro.
Dec. 9 - 2d reading in Assembly.

1964 - A258 - Farrington, Sweeney & Panaro.
Died in Committee.

1965 - A812 - Crabiel & Farrington.
Died in Committee.

Other bills introduced in 1966:

1966 - A789 - Bateman & others.
Died in Committee.

1966 - A864 - Ginson & Maraziti.
Died in Committee.

1966 - S232 - Parsekian & others.
Died in Committee.

1966 - S436 - Hunt & others.
Died in Committee.

1966 - S464 - Hunt & others.
Died in Committee.

1966 - S466
Died in Committee.

The bill which became law was:

L. 1966, Chapter 60 - A165

Introduced Jan. 24 by Brady, McLeon & Policastro.

Bill had statement (copy enclosed).

May 16 - Passed Assembly, amended (amendment enclosed)

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May 31 - Passed Senate.
June 3 - Approved.
Governor's statement on signing (copy enclosed)

Hearing on A165 was held March 2:

974.90 N.J. Legislature. Assembly. Committee on
W362 State Government.
1966 Public hearing on A165.

See also following report on the bill:

J344.05 Citizens Committee for Firearms
C581 Legislation. (NJ)
Report on study for revisions of 2A:151.
Weapons and explosives. Belle Mead, NJ,
1966.

An extensive file of newspaper clippings, dating from 1957,
can be found at:

VF - N.J.--Firearms.

CHAPTER 60 LAWS OF N. J. 1966

APPROVED 6/2/66

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 165

STATE OF NEW JERSEY

INTRODUCED JANUARY 24, 1966

By Assemblymen BRADY, McLEON and POLICASTRO

Referred to Committee on State Government

AN ACT concerning firearms and other dangerous weapons and revising, repealing and supplementing parts of the statutory law.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 2A:151-1 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-1. *The following definitions apply to this chapter:*

4 a. *Firearm or firearms includes any pistol, revolver, rifle, shotgun,*
5 *machine gun, automatic and semiautomatic rifle, or other firearm as the term*
6 *is commonly used, or any gun, device or instrument *in the nature of a wea-*
7 *pon* from which may be fired or ejected any solid projectile, ball, slug,*
8 *pellet, missile or bullet, or any gas, vapor or other noxious thing, by means*
9 *of a cartridge or shell or by the action of an explosive or the igniting of*
10 *flammable or explosive substances ***[, or otherwise]**.**

10A **It shall also include, without limitation, any firearm which is in the*
10B *nature of any air gun, spring gun or pistol, carbon dioxide or compressed*
10C *air gun or pistol, or other weapon of a similar nature in which the propelling*
10D *force is a spring, elastic band, carbon dioxide, compressed or other gas, or*
10E *vapor, air or compressed air, or is ignited by compressed air, and ejecting*
10F *a bullet or missile smaller than 3/8 of an inch in diameter, with sufficient force*
10G *to injure the person.**

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

11 b. [The words "pistol" or "revolver" as used in this chapter include a
12 shotgun, rifle or other] *Pistol or revolver includes any firearm with an*
13 *over-all length less than 26 inches, or a shotgun having a barrel or barrels of*
14 *a length less than 18 inches, or a rifle having a barrel length less than 16 inches.*

15 c. *Rifle and shotgun includes all other firearms with over-all length of*
16 *26 inches or greater, provided the length of the barrel or barrels, if a shotgun,*
17 *is 18 or more inches, and if a rifle is 16 or more inches but does not include*
18-19 *machine guns or automatic rifles as defined in section 2A:151-49.*

20 d. *Person includes any individual, corporation, partnership, firm or asso-*
21 *ciation of any kind or nature whatsoever; any public entity of any kind or*
22 *nature; the plural as well as the singular and any gender.*

23 e. *Superintendent means the Superintendent of State Police.*

24 f. *Manufacturer includes all persons who receive or obtain raw materials*
25 *or parts and process them into firearms or finished parts of firearms, except*
26 *those persons who exclusively process grips, stocks and other nonmetal parts*
27 *of firearms. It shall not include those persons who repair existing firearms or*
28 *who receive and use raw materials or parts solely for the repair of existing*
29 *firearms.*

30 g. *Wholesale dealer includes all persons except the manufacturer, who*
31 *sell, transfer or assign firearms, or parts of firearms, to persons who are*
32 *reasonably understood not to be the ultimate consumer, and shall include*
33 *persons, except the manufacturer, who receive finished parts of firearms and*
34 *assemble them into completed or partially completed firearms, in further-*
35 *ance of such purpose, except that it shall not include those persons dealing*
36 *exclusively in grips, stocks and other nonmetal parts of firearms.*

37 h. *Retail dealer includes all persons except the manufacturer and whole-*
38 *sale dealer who sell, transfer or assign for a fee or profit any firearm or parts*
39 *of firearms which they have purchased or obtained with the intention, or for*
40 *the purpose, of reselling or reassigning to persons who are reasonably under-*
41 *stood to be the ultimate consumer. It shall also include any person who sells*
42 *any firearm to satisfy a debt secured by the pledge of a firearm.*

43 ***[i. Dangerous instrument includes any blackjack, slingshot, slung shot,**
 44 *billy, sandclub, sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous*
 45 *knife, razor, stiletto, cestus or similar leather band studded with metal for*
 46 *fitting on the knuckles, loose wool imbedded with metal filings, razor blades*
 47 *imbedded in wood slivers, broken bottles, glass, handcuffs, iron claws, grenade,*
 48 *bomb or other high explosive.]**

49 **i. Explosive includes any chemical compound or mixture that is com-*
 50 *monly used or intended for the purpose of producing an explosion, that con-*
 51 *tains any oxidizing and combustible materials or other ingredients, in such*
 52 *proportions, quantities or packing that an ignition by fire, by friction, by*
 53 *concussion or by detonation of any part of the compound or mixture may*
 54 *cause such a sudden generation of highly heated gases that the resultant*
 55 *gaseous pressures are capable of producing destructive effects on contigu-*
 56 *ous objects. The term shall not include small arms ammunition, or explosives*
 57 *in the form prescribed by the official United States Pharmacopoeia.**

1 2. Section 2A:151-2 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-2. Any pawnbroker who sells or possesses for sale or to **[loan]**
 4 *lend* or give away, **[a machine gun, automatic rifle, a revolver, pistol, or**
 5 **other]** *any firearm* ***[, as defined in 2A:151-1 or 2A:151-13]*** or **[other]**
 6 *dangerous instrument of any kind [known as a blackjack, slung shot, billy,*
 7 *sandclub, sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous knife,*
 8 *stiletto, bomb or other high explosive]* **usually known as a blackjack, sling*
 9 *shot, slung shot, billy, sandclub, sandbag, bludgeon, metal knuckles, dagger,*
 10 *dirk, dangerous knife or knife as defined in chapter 5, laws of 1952*
 11 *(C. 2A:151-62, stiletto, cestus, or similar band studded with metal for fit-*
 12 *ting on the knuckles, loose wool imbedded with metal filings, razor blades im-*
 13 *bedded in wood slivers, handcuffs, iron claws, grenade, bomb or other ex-*
 14 *plosive** is guilty of a high misdemeanor.

1 3. Section 2A:151-4 of the New Jersey Statutes is amended to read
 2 as follows:

3 2A:151-4. Any person becoming the lawful possessor of [a pistol, re-
 4 volver or other] *any* firearm [of a size capable of being concealed upon the
 5 person,] who sells, gives or transfers the same to any other person [without
 6 first notifying the police authorities] *except in the manner provided by this*
 7 *chapter*, is guilty of a misdemeanor. [This section does not apply to whole-
 8 sale or retail dealers or manufacturers who have complied with the pro-
 9 visions of this chapter.]

1 4. Section 2A:151-5 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-5. Any person who commits or attempts to commit an assault,
 4 robbery, larceny, burglary, [or] breaking and entering, *rape, murder, may-*
 5 *hem, arson, abduction, extortion, kidnapping, sodomy or treason, or who is*
 6 *a fugitive from justice*, when armed with or having in his possession any
 7 [machine gun, automatic rifle, revolver, pistol, or other] firearm, *[*as defined*
 8 *by section 2A:151-1 or 2A:151-13 of this chapter*]* **whether or not capable*
 8A *of being discharged** or [a gun device or] *dangerous* instrument *[from
 9 which may be fired or ejected any gas, vapor or other noxious thing by means
 10 of a missile, pellet, bullet or otherwise, or other instrument]* **of any kind*
 11 [known as a blackjack, slung shot, billy, sandclub, sandbag, bludgeon, metal
 12 knuckles, dagger, dirk, dangerous knife, razor, stiletto, bomb or other high
 13 explosive], **usually known as a blackjack, sling shot, slung shot, billy, sand-*
 13A *club, sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous knife or*
 13B *knife as defined in chapter 5 of the laws of 1952 (C.2A:151-62), razor, stiletto,*
 13C *cestus, or similar band studded with metal for fitting on the knuckles, loose*
 13D *wool imbedded with metal filings, razor blades imbedded in wood slivers,*
 13E *handcuffs, iron claws, grenade, bomb or other explosive** or any object or
 14 device, whether toy or imitation, having an appearance similar to or capable
 15 of being mistaken for any of the foregoing, shall, in addition to the punishment
 16 provided for the crime, be punished on a first conviction by imprisonment for
 17 not less than one nor more than [5] 10 years; upon a second conviction by
 18 imprisonment for not less than 3 nor more than [10] 15 years; upon a third

19 conviction by imprisonment for not *less than 5 nor* more than [15] 20 years;
 20 and upon a fourth or subsequent conviction, by imprisonment for not *less*
 21 *than 10 years nor* more than [20 years or] for life, in the discretion of the
 22 court. No such additional punishment shall be imposed unless the indictment
 23 shall have averred that the person was armed with or had in his possession
 24 any such instrument and conviction was had thereon.

1 5. Section 2A:151-6 of the New Jersey Statutes is amended to read
 2 as follows:

3 2A:151-6. In the trial of any person for committing or attempting to
 4 commit any crime enumerated in section 2A:151-5 ***[of this [Title] chap-**
 5 *ter]**, the fact that he was armed with or had in his possession any **[of the]**
 6 firearm**[s]** ***[, as defined in section 2A:151-1 or 2A:151-13 of this chap-**
 7 *ter,]** or *any dangerous* instrument**[s]** **[enumerated in section 2A:151-2 of**
 8 this Title without a permit to carry the same,] **enumerated in section*
 9 *2A:151-5** is prima facie evidence of his intention to commit ***[a]*** *said**
 10 crime ***[of violence]***. **with said firearm or dangerous instrument**.

1 6. Section 2A:151-7 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-7. The presence of a firearm *or any grenade, bomb or other*
 4 ***[high]*** *explosive* in a vehicle is presumptive evidence of possession by all
 5 persons occupying the vehicle at the time.

1 ***[7.** Section 2A:151-8 of the New Jersey Statutes is amended to read
 2 as follows:

3 2A:151-8. Any person, having been convicted in this State or elsewhere ✓
 4 of any crime *or offense* enumerated in section 2A:151-5 of this Title, **[when]**
 5 *whether or not* armed with or having in his possession any **[of the]** fire-
 6 arm**[s]** *as defined in section 2A:151-1 or 2A:151-13 of this chapter* or dan-
 7 *gerous* instrument**[s enumerated in that section]**, *or any person who has ever*
 8 *been committed for a mental disorder to any hospital, mental institution or*
 9 *sanitarium unless he possesses a certificate of a medical doctor or psychia-*
 10 *trist licensed in New Jersey that he is no longer suffering from a mental dis-*

11 order which interferes with or handicaps him in the handling of a firearm,
12 or any person who is addicted to narcotics, goofballs or pep pills, or any per-
13 son who is a member of an organization listed as subversive by the Attorney
14 General of the United States, who purchases, owns, possesses or controls any
15 [of the said] firearm[s] or dangerous instrument[s], is guilty of a misde-
16 meanor.]*

17 *7. Section 2A:151-8 of the New Jersey Statutes is amended to read as
18 follows:

19 2A:151-8. Any person, having been convicted in this State or elsewhere
20 of any crime enumerated in section 2A:151-5 [of this Title, when], whether
21 or not armed with or having in his possession any [of the] firearm[s] or
22 dangerous instrument[s] enumerated in [that] section 2A:151-5, or any
23 person who has ever been committed for a mental disorder to any hospital,
24 mental institution or sanitarium unless he possesses a certificate of a medi-
25 cal doctor or psychiatrist licensed in New Jersey or other satisfactory proof
26 that he is no longer suffering from a mental disorder which interferes with
27 or handicaps him in the handling of a firearm, or any person who has been
28 convicted for the unlawful use, possession or sale of a narcotic or nonnar-
29 cotic drug or who is registered as a narcotic drug offender under chapter
30 230 of the laws of 1952, who purchases, owns, possesses or controls any [of
31 the said] firearm[s] or any of the said dangerous instruments, is guilty of
32 a misdemeanor.

33 Whenever any person shall have been convicted in another State, terri-
34 tory, commonwealth or other jurisdiction of the United States, or of any
35 country in the world, in a court of competent jurisdiction, of a crime which
36 in said State, jurisdiction or country shall be equal to or comparable or the
37 same as one of the crimes designated in 2A:151-5, then that person shall be
38 subject to the provisions of this section.*

1 8. Section 2A:151-9 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-9. Any person shall have the right to refuse to sell any firearm
4 or dangerous instrument to any other person, provided however that any

5 **[Any]** person who knowingly sells any **[of the]** firearm**[s]** ***[or dangerous**
6 instrument**[s]]*** enumerated in section 2A :151-5 of this Title] to a person *who*
7 **[has ever been confined for a mental disorder to a hospital, mental institu-*
8 *tion or sanitarium, unless he produces a certificate of a licensed New Jersey*
9 *medical doctor or psychiatrist that he is no longer suffering from any mental*
10 *disorder which would interfere with or handicap him in the handling of a*
11 *firearm; who is addicted to narcotic drugs, pep pills or goofballs; who is an*
12 *alcoholic; who is a member of an organization listed as subversive by the At-*
13 *torney General of the United States; who has been convicted in this State*
14 *or elsewhere of committing or attempting to commit any crime or offense*
15 *enumerated in section 2A:151-5 of this chapter, whether or not armed with*
16 *or having in his possession any firearm as defined in section 2A:151-1 or*
17 *2A:151-13 of this chapter or any dangerous instrument]*; *does not possess
17A *and exhibit to the seller a permit to purchase in the case of a pistol or revol-*
17B *ver or a firearms purchaser identification card in the case of a rifle or shotgun;**
18 *or where the seller has reason to believe that the person is of unsound mind*
19 *or suffers from a physical defect or sickness which would make it unsafe for*
20 *him to handle firearms, [not of sound mind, or to a drug addict, or to a per-*
21 *son who has been convicted of committing or attempting to commit any crime*
22 *enumerated in that section when armed with any of the firearms or instru-*
23 *ments therein enumerated] is guilty of a misdemeanor. *The presentation*
24 *of a permit for the purchase of a pistol or revolver, or the signing of a cer-*
25 *tification and presentation of a firearms purchaser identification card for the*
26 *purchase of a rifle or shotgun as set forth in section 2A:151-32* ***[of this**
27 **chapter]***, shall be prima facie evidence of compliance with the requirements
28 of this chapter.**

1 9. Section 2A:151-10 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-10. Any person who knowingly offers, sells, **[loans]** lends, leases
4 or gives to any person under the age of 18 years, any **[of the]** firearm**[s]***,
5 *grenade bomb** or ***[dangerous]*** *other explosive** instrument**[s]** enumer-

6 ated in section 2A:151-2 of this Title], or a toy pistol or other instrument
7 from which a loaded or blank cartridge may be fired, or any loaded or blank
8 cartridge therefor, **[except to the extent it is permissible for a minor to pur-*
9 *chase, barter, exchange or otherwise acquire a firearm or weapon under sec-*
10 *tion 2A:151-11 of this chapter, or unless said minor has successfully com-*
11 *pleted a hunter's safety course taught by a qualified instructor or game*
12 *warden and carries in his possession a certificate indicating the successful*
13 *completion of such a course and a valid hunting license in his own name and*
14 *furnishes the seller with written consent to his possession thereof by his par-*
15 *ent or legal guardian,]* is guilty of a misdemeanor*; provided however that*
16 *a person may lend a firearm to a minor who may borrow same for the pur-*
17 *pose of carrying, firing or using said firearm under section 2A:151-11, and*
18 *provided further said minor furnishes the owner with written consent to his*
19 *use thereof by his parent or legal guardian*.*

1 **[10. Section 2A:151-11 of the New Jersey Statutes is amended to read*
2 *as follows:*

3 2A:151-11. Any person under the age of 18 years who purchases, bar-
4 ters, borrows, acquires or exchanges any [gun, pistol, toy pistol, or other]
5 firearm or [any instrument or] weapon from which any loaded or blank
6 cartridges may be fired *except as provided in section 2A:151-33 of this*
7 *chapter; or [any person under the age of 16 years] who carries, fires or*
8 *uses any such firearm, dangerous instrument or weapon except in the actual*
9 *presence or under the direct supervision of his father, mother, guardian or*
10 *some other [responsible adult] person who is himself a holder of a permit*
11 *to purchase or to carry a pistol or revolver or a firearms purchaser identi-*
12 *fication card, or for the purpose of military drill under the auspices of a*
13 *legally recognized military organization and under competent supervision, or*
14 *for the purpose of competition or target practice in and upon a firing range*
15 *approved by the governing body or the chief of police of the municipality*
16 *in which such range is located[,] or the National Rifle Association and*
17 *which is under competent supervision at the time of such competition or*

18 target practice, is guilty of a misdemeanor; provided however that a minor
19 under the age of 18 years who has successfully completed a hunter's safety
20 course taught by a qualified instructor or game warden and carries in his
21 possession a certificate indicating the successful completion of such a course
22 and has a valid hunting license in his own name, may carry and use a rifle
23 or shotgun for the purpose of hunting during the regularly designated hunt-
24 ing season.]*

1 *10. Section 2A:151-11 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-11. Any person under the age of 18 years who purchases, barter,
4 borrows, acquires or exchanges any [gun, pistol, toy pistol, or other] firearm,
5 grenade, bomb or other explosive, [or any instrument or weapon from which
6 any loaded or blank cartridges may be fired;] except a firearm as provided in
7 section 2A:151-33, is guilty of a misdemeanor or an act of juvenile delin-
8 quency as may be provided otherwise in the statutes; except that any such
9 person may carry, fire or use any firearm [or any person under the age of 16
10 years who carries, fires or uses any such instrument or weapon except] in the
11 actual presence or under the direct supervision of his father, mother, guard-
12 ian or some other [responsible adult] person who is himself a holder of a
13 permit to carry a pistol or revolver or a firearms purchaser identification card,
14 or for the purpose of military drill under the auspices of a legally recognized
15 military organization and under competent supervision, or for the purpose of
16 competition or target] practice in and upon a firing range approved by the
17 governing body or the chief of police of the municipality in which such range
18 is located or the National Rifle Association and which is under competent
19 supervision at the time of such competition or target practice, [is guilty of a
20 misdemeanor] and except further that a minor under the age of 18 years who
21 has successfully completed a hunter's safety course taught by a qualified in-
22 structor or conservation officer and carries in his possession a certificate in-
23 dicating the successful completion of such a course and has a valid hunting
24 license in his own name, may carry and use a rifle or shotgun as otherwise

25 *provided in this chapter, for the purpose of hunting provided the regularly*
 26 *designated hunting season.**

1 ***[11.** Section 2A:151-12 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-12. Any person who manufactures or causes to be manufactured,
 4 or sells or keeps for sale, or offers, gives or disposes of any *dangerous* instru-
 5 ment **[or** weapon of the kinds usually known as a blackjack, slung shot, billy,
 6 sandclub, sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous knife,
 7 stiletto or bomb,**]** to any person, *except in accordance with Federal or State*
 8 *law* is guilty of a misdemeanor.**]***

1 *11. Section 2A:151-12 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-12. a. Any person who manufactures or causes to be manufac-
 4 tured, or sells or keeps for sale, or offers, gives or disposes of any dangerous
 5 instrument **[or** weapon**]** of the kinds usually known as a **[blackjack,]** sling
 6 shot, slung shot, **[billy,]** sandclub, sandbag, bludgeon, metal knuckles, dag-
 7 ger, dirk, **[dangerous]** knife as defined in chapter 5 of the laws of 1952 (C.
 8 2A:151-62), stiletto, **[or]** grenade, bomb, or other explosive, cestus, or sim-
 9 ilar band studded with metal for fitting on the knuckles, loose wool imbedded
 10 with metal filings, razor blades imbedded in wood slivers, to any person, *ex-*
 11 *cept in accordance with Federal or State law* is guilty of a misdemeanor.

12 b. Any person who manufactures or causes to be manufactured, or sells
 13 or keeps for sale, or offers, gives or disposes of any dangerous instrument
 14 of the kind usually known as blackjack, billy, handcuffs or iron claws, *ex-*
 15 *cept to any law enforcement officer as enumerated in section 2A:151-43 and*
 16 *provided they are acting within their official capacity and in the performance*
 17 *of their duty, is guilty of a misdemeanor.**

1 ***[12.** Section 2A:151-13 of the New Jersey Statutes is amended to read
 2 as follows:

3 2A:151-13. Any person who manufactures, sells, barter, exchanges,
 4 hires, **[loans]** lends, gives, buys, possesses, uses, shoots or knowingly de-

5 *livers a firearm which is in the nature of any air gun, spring gun or pistol,*
 6 *carbon dioxide or compressed air gun or pistol, or other weapon of a similar*
 7 *nature in which the propelling force is a spring, elastic band, carbon*
 8 *dioxide, compressed or other gas, or vapor, [or] air or compressed air, or*
 9 *is ignited by compressed air, and ejecting a bullet or missile smaller than 3/8*
 10 *of an inch in diameter, with sufficient force to injure the person, is guilty*
 11 *of a misdemeanor.]**

1 *12. Section 2A:151-13 of the New Jersey Statutes is repealed.*

1 13. Section 2A:151-15 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-15. Any person who alters, changes, removes, disfigures,
 4 obliterates or defaces the name of the maker, model, manufacturer's or
 5 serial number, or other mark of identification of any [pistol or revolver]
 6 *firearm*; and any person * [engaged in the retail business of selling, leasing or
 7 otherwise transferring]* [pistols, revolvers, or other] * [firearms]*, who
 8 sells, leases or transfers any [pistol or revolver] *firearm* whose serial num-
 9 ber has been altered, changed, disfigured or defaced is guilty of a misde-
 10 meanor.

1 14. Section 2A:151-16 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-16. No property right exists in firearms unlawfully possessed,
 4 carried, *acquired* or used, and all such firearms are declared to be nuisances
 5 and forfeited to the State. When such forfeited firearms are taken from
 6 any person, they shall be surrendered to the sheriff of the county in which
 7 taken, or to the head of the police department in municipalities, or to the
 8 office of the county prosecutor *and may be disposed of when they are no*
 9 *longer needed for evidential purposes and after they have been inventoried*
 10 *and their disposition witnessed and recorded by the head of the agency having*
 11 *possession or his representative designated for this purpose.* If any such
 12 firearms are found to be the property of an innocent owner *prior to their*
 13 *disposition*, they shall be returned to him if and when no longer needed for
 14 evidential purposes.

1 15. Section 2A:151-18 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-18. This chapter does not apply to antique ~~【pistols unsuitable~~
4 for use as ~~】~~ firearms *which are incapable of being fired or discharged *【and】**
5 **or* which do not fire fixed ammunition, or those manufactured before 1898 for*
6 *which cartridge ammunition is not commercially available, and are possessed*
7 *as curiosities or ornaments *or for their historical significance or value*.*

1 16. Section 2A:151-19 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-19. ~~【Any】~~ No person ~~【who】~~ shall ~~【manufactures】~~ *manufacture*
4 or ~~【sells】~~ *sell* at wholesale any ~~【machine gun, automatic rifle, revolver,~~
5 ~~pistol, or other】~~ firearm~~【,】~~ **【or】** ~~【other】~~ **【dangerous instrument of any*
6 *kind,】** ~~【known as a dagger, dirk, dangerous knife, stiletto,】~~ **【grenade, bomb*
7 *or other high explosive】** ~~【, shall be】~~ *until he has* registered with the super-
8 intendent ~~【of State Police】~~ and ~~【shall】~~ **【has】** **shall** ~~【furnished】~~ *furnish*
9 him with such particulars as may be prescribed by law *and by rules and regu-*
10 *lations promulgated by the superintendent* for registration. *The application*
11 *for registration shall be accompanied by a fee of \$50.00 *and may be renewed*
11A *annually upon payment of a fee of \$25.00*.*

12 *The superintendent shall prescribe standards and qualifications for*
13 *registration of manufacturers and wholesalers of firearms, for the protection*
14 *of the public safety, health and welfare.* If the superintendent ~~【of State~~
15 ~~Police】~~ is satisfied that an applicant for registration cannot be permitted to
16 carry on business as a manufacturer or wholesale dealer in **【the】** firearms
17 **【or instruments herein enumerated】** without danger to the public *health,*
18 *safety or welfare,* he may refuse to register the applicant.

19 The superintendent ~~【of State Police】~~ shall furnish a certificate of
20 registration to every person registered under this section.

1 17. Section 2A:151-22 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-22. Every manufacturer and wholesale dealer shall keep a de-
 4 tailed record of each firearm ***[or instrument]*** *enumerated in section*
 5 *2A:151-19* ***[of this chapter]*** sold by him. The record shall include the date
 6 of sale, the name *and address* of purchaser, description of *each firearm* ***[or**
 7 **instrument]*** and the serial number thereof. The information contained in the
 8 record shall be available **[to police and other public officials in the performance**
 9 **of their official duties]** *at all reasonable hours for inspection by any law*
 10 *enforcement officer as enumerated in section 2A:151-24 of this chapter.*

1 18. Section 2A:151-24 of the New Jersey Statutes is amended to read
 2 as follows:

3 2A:151-24. No retail dealer shall sell or expose for sale, or possess with
 4 intent to sell, any **[of the]** firearm**[s]** ***[or dangerous instrument]*[s]** **[enu-**
 5 **merated in section 2A:151-2 of this Title],** except that a retail dealer may
 6 **[sell any razor, or any rifle or shotgun with over-all length of 26 inches or**
 7 **more, and may]** be licensed to sell **[pistols and revolvers]** *firearms* as here-
 8 inafter provided.

9 *The superintendent shall prescribe standards and qualifications for re-*
 10 *tail dealers of firearms for the protection of the public safety, health and wel-*
 11 *fare.*

12 A judge of the County Court of the county wherein the retail dealer
 13 has his place of business **[may, in his discretion,]** *shall grant licenses in*
 14 *form prescribed by the* ***[Superintendent of State Police]*** **superintendent*,*
 15 *to applicants who meet such standards and qualifications,* effective for not
 16 more than 1 year from the date of issue, permitting the licensee to sell **[pistols**
 17 **or revolvers]** *firearms* at retail within a specified municipality***[.]** ***,* [**
 18 subject to the following conditions, for breach of any of which the license shall
 19 be subject to forfeiture:**]** **provided that the application shall be accompanied*
 19A *by a fee of \$10.00 payable to the superintendent and may be renewed annu-*
 19B *ally upon payment of a fee of \$5.00.**

20 *No license shall be granted to any person under the age of 21 years or*
 21 *to any person who could not qualify to obtain a permit to purchase a pistol*

22 or revolver or firearms purchaser identification card under section 2A:151-33
 23 of this chapter, or to any corporation, partnership or other business organ-
 24 ization in which a controlling or dominating interest is held or possessed by
 25 such a person or persons.

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

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

32 b. The license or a copy certified by the issuing authority shall be dis-
 33 played in a conspicuous place on the premises in which the business is con-
 34 ducted where it can be easily read;

35 c. No *[pistol or revolver]* *firearm* or imitation thereof [or placard
 36 advertising the sale thereof,] shall be placed in any window or in any part of
 37 the premises where it can readily be seen from the outside;

38 d. No pistol or revolver shall be delivered to any person:

39 1. Unless the [purchaser] person has obtained a permit to purchase
 40 under the provisions of [article 4 of this chapter (§] sections 2A:151-32
 41 [et seq.)] through 2A:151-39 *[of this chapter]*;

42 2. Until 7 days have elapsed after the date of the application for the
 43 permit;

44 3. Unless the [purchaser] person either is personally known to the
 45 seller or presents evidence of his identity;

46 4. Unless the pistol or revolver is unloaded and securely wrapped;

47 e. A true record of every pistol or revolver sold, given or otherwise
 48 delivered or disposed of shall be kept by the retail dealer in accordance with
 49 the provisions of sections 2A:151-25 to 2A:151-29 of this Title.

50 f. No rifle or shotgun shall be delivered to any person;

51 1. Unless the person has obtained a firearms purchaser identification card
 52 under the provisions of this chapter;

53 2. *Unless the person has exhibited his firearms purchaser identification*
 54 *card and furnished the seller, on a form prescribed by the superintendent,*
 55 *a certification signed by him which shall contain among other things the*
 56 *name, permanent home address and firearms purchaser identification card*
 57 *number of said person. The certification shall be retained by the dealer and*
 58 *shall for law enforcement purposes be made available for inspection by regu-*
 59 *lar ***[members]*** *police officers* of an organized police department of the*
 60 *county in which the retail business is located*, county prosecutors and mem-*
 60A *bers of their staffs authorized by them,* and members of the State Police.*

61 **[No license to sell at retail shall be granted except as provided in this**
 62 **section.]**

1 19. Section 2A:151-25 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-25. Every person engaged in the retail business of selling, leas-
 4 ing or otherwise transferring a pistol, or revolver, **[or other firearm, of a size**
 5 **capable of being concealed upon the person]** whether such seller, lessor or
 6 transferor is a retail dealer or otherwise, shall keep a register in which shall
 7 be entered the time of the sale, lease or other transfer, the date thereof, the
 8 name, age, *date of birth, complexion,* **[color, nationality,]** occupation, **[and]**
 9 *residence and a physical description including distinguishing physical char-*
 10 *acteristics, if any, of the purchaser, lessee or transferee, the name and per-*
 11 *manent home address of the person making the sale, lease or transfer, the*
 12 *place of the transaction, and the make, model, manufacturer's number,*
 13 *caliber or other marks of identification on such pistol**[,]** or revolver **[or***
 14 *other firearm]* *and such other information as the superintendent shall deem*
 15 *necessary for the proper enforcement of this chapter. The register shall be*
 16 *retained by the dealer and shall be made available **[open]** at all reasonable*
 17 *hours for the inspection of any **[police or other peace]** law enforcement*
 18 *officer as enumerated in section 2A:151-24 of this chapter.*

1 20. Section 2A:151-26 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-26. The superintendent [of State Police] shall prepare the form
 4 of the register *as described in 2A:151-25* [and send a copy to the clerk of
 5 every municipality who shall thereupon prepare the register in accordance
 6 with the form so transmitted] and furnish the same *in triplicate* to each per-
 7 son [within the municipality] *licensed to be engaged in the business of selling,*
 8 *leasing or otherwise transferring* [pistols, revolvers or other] firearms.

1 21. Section 2A:151-27 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-27. The purchaser, lessee or transferee of any pistol[,] *or re-*
 4 *volver* [or other firearm of a size capable of being concealed upon the person]
 5 shall sign, and the dealer shall require him to sign his name [and affix his ad-
 6 dress] to the register, in [duplicate] *triplicate*, and the person making the
 7 sale, lease or transfer shall affix his name, in [duplicate] *triplicate*, as a wit-
 8 ness to the signature. *The signatures shall constitute a representation of the*
 9 *accuracy of the information contained in the register.*

1 22. Section 2A:151-28 of the New Jersey Statutes is amended to read
 2 as follows:

3 2A:151-28. [The duplicate sheet of the register shall before 12 o'clock
 4 midnight of the day] *Within 5 days of the date of the sale, [lease] assign-*
 5 *ment or transfer, [be delivered] the dealer shall deliver or mail by certified*
 6 *mail, return receipt requested to the office of the chief of police of the munici-*
 7 *pality in which the purchaser resides, or to the office of the captain of the*
 8 *precinct of the municipality in which the purchaser resides, [within which*
 9 *the dealer conducts his business] and to the superintendent, legible copies*
 10 *of the entries in the register on the duplicate copies of the register forms.*
 11 [and a] *If hand delivered* a receipt shall be given to the dealer therefor.

12 Where a sale, [lease] *assignment* or transfer is made *to a purchaser who*
 13 *resides* in a municipality having no chief of police, the dealer shall, [on the
 14 day] *within 5 days* of the transaction, mail a duplicate copy of the register
 15 *sheet* to the clerk of the county within which the [sale, transfer or lease was
 16 made] *purchaser resides.*

1 23. Section 2A:151-29 of the New Jersey Statutes is repealed.

1 24. Section 2A:151-30 of the New Jersey Statutes is repealed.

1 25. Section 2A:151-32 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-32. *A. No person shall sell [or] , give, transfer, assign or other-
4 wise dispose of, nor receive, purchase or otherwise acquire a pistol or re-
5 volver unless the purchaser, assignee, donee, receiver or holder is licensed
6 as a dealer under this chapter or has first secured a permit to purchase [or
7 carry] a pistol or revolver as provided by this article.*

8 *B. No person shall sell, give transfer, assign or otherwise dispose of nor
9 receive, purchase or otherwise acquire a rifle or shotgun unless the purchaser,
10 assignee, donee, receiver or holder is licensed as a dealer under this chapter
11 or possesses a valid firearms purchaser identification card, and first, exhibits
12 said card to the seller, donor, transferor or assignor, and unless the pur-
13 chaser, assignee, donee, receiver or holder signs a written certification, on a
14 form prescribed by the superintendent, which shall indicate that he presently
15 complies with the requirements of section 2A:151-33 ***[of this chapter]***, and
16 shall contain his name, address and firearms purchaser identification card num-
17 ber or dealer's registration number, and which shall be retained by the seller
18 as provided in section 2A:151-24 ***[of this chapter]*** *, provided that a person
19 who is not a dealer may file the certification with the chief of police of the
20 municipality in which he resides or with the superintendent*.*

21 **C. Notwithstanding any other provision of this section concerning the
22 transfer, receipt or acquisition of a firearm, a permit to purchase or a fire-
23 arms purchaser identification card shall not be required for the passing of a
24 firearm upon the death of an owner thereof to his heir or legatee whether the
25 same be by testamentary bequest or by the laws of intestacy except that the
26 person who shall so receive or acquire said firearm shall be subject to all other
27 provisions of this chapter; provided further that if the heir or legatee of such
28 firearm does not qualify to possess or carry same under this act, the firearm
29 may be possessed by him for the purpose of sale for a period not exceeding*

30 180 days, or for such further limited period as may be approved by the chief
31 law enforcement officer of the municipality in which the heir or legatee resides
32 or the superintendent.*

1 26. Section 2A:151-33 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-33. No person of good character and who is of good repute in the
4 community in which he lives, and who is not subject to any of the disabilities
5 set forth in *this section* or other sections of this chapter, shall be denied a
6 permit to purchase a pistol or revolver or a *firearms purchaser identification*
7 **[card. No firearms purchaser identification card or pistol or revolver pur-*
8 *chase permit shall be issued to any person under the age of 18 years nor to any*
9 *person who suffers from a physical defect or sickness which would make it un-*
10 *safe for him to handle firearms; nor to any person who has ever been con-*
11 *fined for a mental disorder to a hospital, mental institution or sanitarium,*
12 *unless he produces a certificate of a medical doctor or psychiatrist licensed*
13 *in New Jersey that he is no longer suffering from any mental disorder which*
14 *would interfere with or handicap him in the handling of a firearm; nor to*
15 *any person who has ever been convicted of any crime; nor to any alcoholic,*
16 *drug addict or person addicted to narcotics, goofballs or pep pills; nor to*
17 *any person who is a member of an organization listed as subversive by the*
18 *Attorney General of the United States; nor to any person where the issuance*
19 *to him of a permit would not be in the interest of the public health, safety*
20 *or welfare, except that a firearms purchaser identification card may be issued*
21 *to a minor under the age of 18 who has successfully completed a hunter's*
22 *safety instruction course and who possesses a valid hunting license in his own*
23 *name and who furnishes to the issuing authority the written consent of his*
24 *mother, father or legal guardian.]* *card, except as hereinafter set forth:*

25 a. No pistol or revolver purchase permit or firearms purchaser identifica-
26 tion card shall be issued to any person who has ever been convicted of any
27 crime, to any person addicted to narcotics, or who is a habitual user of goof-
28 balls or pep pills, to any person who is confined for a mental disorder to a

29 hospital, mental institution or sanitarium, or to any person who is presently a
30 habitual drunkard; or

31 b. To any person who suffers from a physical defect or sickness which
32 would make it unsafe for him to handle firearms, to any person who has ever
33 been confined for a mental disorder, or to any alcoholic, unless any of the fore-
34 going persons produce a certificate of a medical doctor or psychiatrist licensed
35 in New Jersey, or other satisfactory proof, that he is no longer suffering from
36 that particular disability in such a manner that would interfere with or handi-
37 cap him in the handling of firearms; or

38 c. To any person under the age of 18 years; or

39 d. To any person where the issuance would not be in the interest of the
40 public health, safety or welfare.*

1 27. Section 2A:151-34 of the New Jersey Statutes is amended to read
2 as follows:

3 2A:151-34. The [judge of any County Court or the] chief of police *of an
4 organized full-time police department* of [a] the municipality where the ap-
5 plicant resides or the superintendent *[where the municipality has no chief
6 of police or the applicant is a nonresident]* *in all other cases* shall, upon
7 application, issue to any person qualified under the provisions of section
8 2A:151-33 *[of this Title]*, a permit to purchase a pistol or revolver or a
9 firearms purchaser identification card. [The Superintendent of State Police
10 shall have the power to issue a permit in any case, notwithstanding it has been
11 refused by a judge or chief of police, if in his opinion the applicant is
11A qualified.]

12 Any person aggrieved by the denial of a permit or identification card
13 may request a hearing in the County Court of the county in which he re-
14 sides if he is a resident of New Jersey or in the *[Mercer County Court]*
15 *County Court of the county in which his application was filed* if he is a
15A nonresident. The request for a hearing shall be made in writing within
16 30 days of the denial of the application for a permit or identification card.
17 The applicant shall serve a copy of his request for a hearing upon the chief

18 of police of the municipality in which he resides if he is a resident of New
 19 Jersey and upon the superintendent in all cases. The hearing shall be held
 20 and a record made thereof within 30 days of the receipt of the application
 21 for such hearing by the judge of the County Court. No formal pleading and
 22 no filing fee shall be required as a preliminary to such hearing. Appeals
 23 from the results of such hearing shall be in accordance with law.

1 28. Section 2A:151-35 of the New Jersey Statutes is hereby amended
 2 to read as follows:

3 2A:151-35. Applications for permits to purchase a pistol or revolver
 4 and for firearms purchaser identification cards shall be in the form prescribed
 5 by the superintendent [of State Police] and shall set forth the name, resi-
 6 dence, place of business, age, date of birth, occupation, sex[, color] and
 7 physical description including distinguishing physical characteristics, *[of]*
 8 *if* any, of the applicant, and shall state whether the applicant is a citizen,
 9 whether he is an alcoholic *[or drug addict]* *, habitual drunkard, addicted
 10 to narcotic drugs or is a habitual user of goofballs or pep pills*, whether he
 11 has ever been confined or committed to a mental institution or hospital for
 12 treatment or observation of a mental or psychiatric condition on a tempo-
 13 rary, interim or permanent basis, giving the name and location of the institu-
 14 tion or hospital and the dates of such confinement or commitment, whether
 15 he has been attended, treated or observed by any doctor or psychiatrist or at
 16 any hospital or mental institution on an inpatient or outpatient basis for any
 17 mental or psychiatric condition giving the name and location of the doctor,
 18 psychiatrist, hospital or institution and the dates of such occurrence, whether
 19 he presently or ever has been a member of any organization *[listed as sub-
 20 versive by the Attorney General of the United States]*, *which advocates or
 21 approves the commission of acts of force and violence either to overthrow the
 22 Government of the United States or of this State, or which seeks to deny
 23 others their rights under the Constitutions of either the United States or the
 24 State of New Jersey*, [and] whether he has ever been convicted of [any] a
 24A crime, or disorderly persons offense, and such other information as the super-

24B *intendent shall deem necessary for the proper enforcement of this chapter.*

24C *The application shall be signed by the applicant and shall contain as reference*

24D *the names and addresses of 2 reputable citizens personally acquainted with*

24E *him.*

25 *Application blanks shall be obtainable from the superintendent [of State*

26 *Police] and from any other officer authorized to grant such permit or iden-*

27 *tification card, and may be obtained from licensed retail dealers.*

28 *The chief police officer or the superintendent shall obtain the finger-*

29 *prints of the applicant and shall have them compared with any and all*

30 *records of fingerprints in the municipality and county in which the applicant*

31 *resides and also the records of the State Bureau of Identification and the*

32 *Federal Bureau of Investigation, provided that an applicant for a pistol*

33 *or revolver purchase permit who possesses a valid firearms purchaser iden-*

34 *tification card, or who has previously obtained a pistol or revolver purchase*

35 *permit from the same licensing authority for which he was previously*

36 *fingerprinted, and who provides other reasonably satisfactory proof of his*

37 *identity, need not be fingerprinted again**; however, the chief police officer or

38 *the superintendent shall proceed to investigate the application to determine*

39 *whether or not the applicant has become subject to any of the disabilities set*

40 *forth in this chapter*.*

1 29. Section 2A:151-36 of the New Jersey Statutes is amended to read
2 as follows:

3 2A:151-36. The application for the permit to purchase a *pistol or re-*
4 *volver, or for the firearms purchase identification card*, together with a fee
5 of ~~[\$1.00]~~ \$2.00 shall be delivered or forwarded to the licensing authority
6 who shall investigate the same, and unless good cause for the denial thereof
7 appears, shall grant the permit, *or the identification card, or both, if appli-*
8 *cation has been made therefor*, within*~~[7]~~* **10** days from the date of receipt
9 of the application *for residents of this State and within 15 days for nonresi-*
10 *dent applicants.* **[If the permit is not granted the fee shall be returned to the**
11 **applicant.]** *A permit to purchase a pistol or revolver shall be valid for a*

12 period of ***[60]*** ***90*** days from the date of issuance and may be renewed by
 13 the issuing authority for good cause for an additional ***[60]*** ***90*** days. A
 14 firearms purchaser identification card shall be valid permanently or until such
 15 time as the holder becomes subject to any of the disabilities set forth in sec-
 16 tion 2A:151-33 ***[of this chapter]***, whereupon the card ***[will automatically]***
 17 ***shall*** be void and shall be returned within 5 days by the holder to the super-
 18 intendent, who shall then advise the licensing authority. Failure of the holder
 19 to return the firearms purchaser identification card to the superintendent
 20 within the said 5 days shall be a misdemeanor. ***Any** firearms purchaser iden-
 21 tification card may be revoked by the judge of the County Court of the county
 22 wherein the card was issued, after hearing upon notice, and upon a finding
 23 that the holder thereof no longer qualifies for the issuance of such permit.
 24 The county prosecutor of any county, the chief police officer of any municipal-
 25 ity or any citizen may apply to such judge at any time for the revocation of
 26 such card.*

27 *There shall be no further conditions or requirements added to the form*
 28 *or content of the application, or required by the licensing authority for the*
 29 *issuance of a permit or identification card, other than those that are specifi-*
 30 *cally set forth in this chapter.*

1 30. Section 2A:151-38 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-38. The permit shall be in the form prescribed by the superin-
 4 tendent **[of State Police]** and shall be issued to the applicant in **[tripli-**
 5 **cate]** quadruplicate. Prior to the time he receives the pistol or revolver
 6 from the seller, **[T]** the applicant shall deliver to the seller the permit in
 7 **[triplicate]** quadruplicate and the seller shall **[indorse on the back of each**
 8 **copy the make, model, caliber and serial number of the pistol or revolver**
 9 **sold under the permit. One]** complete all of the information required on the
 10 form. Within 5 days of the date of the sale, the seller shall forward the orig-
 11 inal copy to the superintendent and the second copy to the chief of police of
 12 the municipality in which the purchaser resides, except that in a munici-

13 *pality having no chief of police, such copy shall be forwarded to the clerk of*
 14 *the county wherein the municipality is located. The third copy shall then*
 15 *be returned to the purchaser with the pistol or revolver* **[, one]** *and the fourth*
 16 *copy shall be kept by the seller as a permanent record* **[, and the third copy**
 17 *shall be forwarded by the seller within 3 days to the Superintendent of State*
 18 *Police].*

1 31. Section 2A:151-39 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-39. A person shall not be restricted as to the number of pistols
 4 or revolvers he may purchase, if he applies for and obtains permits to pur-
 5 chase the same, but only one pistol or revolver shall be purchased or de-
 6 livered on each permit, *except that a person shall not be restricted as to the*
 7 *number of rifles or shotguns he may purchase provided he possesses a valid*
 8 *firearms purchaser identification card and provided further that he signs the*
 9 *certification required in section 2A:151-32B* ***[of this chapter]*** *for each trans-*
 10 *action.*

1 32. Section 2A:151-41 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-41. Except as hereinafter provided, any person who carries
 4 *holds or possesses* in any automobile, carriage, motor cycle or other vehicle,
 5 or **[concealed]** on or about his clothes or person, or otherwise **[concealed]**
 6 in his possession, *or in his possession or under his control in any public place*
 7 *or public area:*

8 a. A pistol **[,]** **or** revolver **[or other firearm]** **without first having*
 9 *obtained a permit to carry the same in accordance with the provisions of this*
 9A *chapter; or*

10 ***[b. Any dangerous instrument [of the kinds known as a blackjack, slung**
 11 *shot, billy, sandclub, sandbag, bludgeon, metal knuckles, cestus or similar*
 12 *leather band studded with metal for fitting on the knuckles, loose wool im-*
 13 *pregnated with metal filings, or razor blades imbedded in wood slivers, dag-*
 14 *ger, dirk, dangerous knife, stiletto, bomb or any high explosive, other than*
 15 *fixed ammunition], is guilty of a misdemeanor.]**

16 **b. A rifle or shotgun without first having obtained a firearms purchaser*
 17 *identification card in accordance with the provisions of this chapter; or*

18 *c. Any dangerous instrument of the kinds known as a blackjack, slung*
 19 *shot, billy, sandclub, sandbag, bludgeon, metal knuckles, cestus or similar*
 20 *leather band studded with metal for fitting on the knuckles, loose wool im-*
 21 *pregnated with metal filings, or razor blades imbedded in wood slivers,*
 22 *dagger, dirk, dangerous knife or knife as defined in chapter 5 of the laws of*
 23 *1952 (C. 2A:151-62), stiletto, grenade, bomb or other explosive, other than*
 24 *fixed ammunition, except as such person may be licensed to carry, hold or*
 25 *possess explosives under the provisions of Title 21 of the Revised Statutes*
 26 *and amendments thereto, is guilty of a misdemeanor.**

1 ***[**33. Section 2A:151-42 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-42. Nothing contained in section 2A:151-41 of this Title shall
 4 be construed to prevent a person from keeping or carrying about his place
 5 of business, dwelling house, premises, or on land possessed by him, any pistol,
 6 revolver, firearm or other weapon, or from carrying the same from any place
 7 of purchase to his dwelling house or place of business, or from his dwelling
 8 house or place of business to or from any place where repairing is done, to
 9 have the same repaired, nor to prevent any person from carrying a gun,
 10 rifle, *shotgun* or knife in the woods or fields or upon the waters of this State
 11 for the purpose of hunting, **[or]** target practice, *or fishing, nor to prevent*
 12 *any person from transporting any pistol, revolver or other firearm while*
 13 *traveling directly to or directly from any target range or other authorized*
 14 *place for the purpose of practice, match or target shooting, trap or skeet*
 15 *shooting or shooting exhibitions, or for the purpose of hunting provided*
 16 *such person has in his possession a valid hunter's license, and provided in all*
 17 *cases that the firearm is unloaded and contained in a closed and fastened case,*
 18 *gunbox or securely tied package.]**

19 *33. Section 2A:151-42 of the New Jersey Statutes is amended to read as
 20 follows:

21 2A:151-42. *Nothing contained in section 2A:151-41 [of this Title] shall*
22 *be construed:*

23 a. *to prevent a person from keeping or carrying about his place of busi-*
24 *ness, dwelling house, premises, or on land possessed by him, any [pistol,*
25 *revolver,] firearm [or other weapon,] or from carrying the same from any*
26 *place of purchase to his dwelling house or place of business, or from his dwell-*
27 *ing house or place of business to or from any place where repairing is done, to*
28 *have the same repaired[.]; nor*

29 b. *to prevent any person from carrying a [gun, rifle] firearm or knife in*
30 *the woods or fields or upon the waters of this State for the purpose of hunt-*
31 *ing [or], target practice, or fishing; nor*

32 c. *to prevent any person from transporting any firearm while traveling*
33 *directly to or from any place for the purpose of hunting provided such person*
34 *has in his possession a valid hunting license or while traveling directly to or*
35 *from any target range or other authorized place for the purpose of practice,*
36 *match, target, trap or skeet shooting or shooting exhibitions, provided in all*
37 *cases that during the course of traveling for the purposes set forth in this*
38 *section, the firearm is unloaded and contained in a closed and fastened case,*
39 *gunbox, securely tied package, or locked in the trunk of the automobile in*
40 *which the person is transporting the firearm, and provided further that the*
41 *course of travel to or from said areas may include such deviations as may be*
42 *reasonable or necessary under the circumstances; and provided further that*
43 *nothing contained in this chapter shall be considered as an exemption or ex-*
44 *ception from the requirements or provisions of Title 23 of the Revised Statutes*
45 *and amendments thereto or any rules and regulations promulgated there-*
46 *under.**

1 34. Section 2A:151-43 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-43. Section 2A:151-41 of this Title does not apply to:

4 a. The United States Marshal or his deputies;

5 b. Members of the Armed Forces of the United States or of the National
6 Guard when on duty;

7 c. Any sheriff, undersheriff, ***[deputy sheriff,]*** county prosecutor, assist-
8 ant prosecutor or prosecutor's detective;

9 d. The regularly employed members, including detectives, of the police
10 department of any county or municipality or of any State, interstate, munici-
11 pal or county park police force or of any county boulevard police force at
12 all times, while within the State of New Jersey, or any special policeman
13 appointed by the governing body of any county or municipality or by the
14 commission or other board or body having control of any county park police
15 force or any county boulevard police force while engaged in the actual
16 performance of his official ***[duties]*** **and when specifically authorized by*
16A *the governing body to carry firearms**;

17 e. Any member of the State Police, or any motor vehicle inspector **[or**
18 **State detective]**;

19 f. Any jailer, constable, railway police, **[canal or steamboat police,]** or
20 any other peace officer, when in discharge of his duties;

21 g. The ***[fish and game commissioners]*** **members of the Fish and Game*
22 *Council**, or the ***[regular fish and game wardens]*** **conservation officers**, or
23 full-time employees of the Division of Shell Fisheries having the power of
23A arrest and authorized to carry weapons;

24 h. Any prison or jail wardens or their deputies, or any guard or keeper
25 of any penal institution in this State, while engaged in the actual perform-
26 ance of the duties of their positions and when so required by their superior
27 officers to carry firearms;

28 i. Any court attendant serving as such under appointment by the sheriff
29 of the county or by the judge of or magistrate of any court of this State
30 *while in the performance of his duties*;

31 j. (Deleted by amendment.)

32 k. Any guard in the employ of any railway express company, banking or
33 building and loan or savings and loan institution of this State**[;]** *while in the*
34 *performance of his duties*;

- 35 l. Any officer of the society for the prevention of cruelty to animals;
- 36 m. Any **[duly authorized]** *legally recognized* military organization when
37 under orders, or any member thereof when going to or from the place of
38 meeting of the organization, carrying the weapons prescribed for drill, ex-
39 ercise or parade;
- 40 n. Persons having a hunter's license in going to or from places of hunting
41 *as set forth in section 2A:151-42 ***[of this chapter]****;
- 42 o. Members of government *or* civilian rifle *or* pistol clubs duly organized
43 in accordance with the rules prescribed by the **[n]**National **[b]**Board for the
44 **[p]**Promotion of **[r]**Rifle **[p]**Practice, in going to or from their several
45 places of target practice and carrying weapons necessary for such practice;
46 *provided further that a copy of the charter is filed with the superintendent*
47 *and a list of the members of the club is submitted annually to the*
48 *superintendent*;
- 49 p. The director, deputy directors, inspectors and investigators of the
50 Division of Alcoholic Beverage Control in the Department of Law and Public
51 Safety;
- 52 q. *Employees of **[Public]** public utility corporations actually engaged*
53 *in the transportation of explosives; **[or]***
- 54 r. Any civil employee of the United States Government under the super-
55 vision of the commanding officer of any post, camp, station, base or other
56 military or naval installation located within this State who is required, in
57 the performance of his official duties, to carry firearms, and who is authorized
58 to carry such firearms by said commanding officer, while such civil employee
59 is engaged in the actual performance of his official duties; *or*
- 60 s. *Law enforcement officers employed by governmental agencies outside*
61 *of the State of New Jersey who are engaged in their official duties provided*
62 *that they have first notified the chief law enforcement officer of the munici-*
63 *pality *or the county prosecutor of the county* in which they are engaged or*
64 *the superintendent.*

1 35. Section 2A:151-44 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-44. Any person desiring to obtain a permit to carry a ***[**revolver,
4 pistol, or other firearm**]*** **pistol or revolver** shall in the first instance make
5 application therefor either to the chief police officer of the municipality in
6 which the applicant resides or to the **[**sheriff of the county wherein the appli-
7 cant resides**]** *superintendent if there is no chief police officer in the munici-
8 pality where the applicant resides. **[**of State Police**]** No permit shall be issued
9 to any person *******[**who suffers from a physical defect or sickness which would
10 make it unsafe for him to handle firearms; nor to any person who has ever
11 been confined for a mental disorder to a hospital, mental institution or sani-
12 tarium, unless he produces a certificate of a medical doctor or psychiatrist
13 licensed in New Jersey that he is no longer suffering from any mental dis-
14 order which would interfere with or handicap him in the handling of a firearm;
15 nor to any person who has ever been convicted of any crime; nor to any alco-
16 holic, drug addict or person addicted to narcotics, goofballs or pep pills; nor
17 to any person who is a member of an organization listed as subversive by the
18 Attorney General of the United States; nor to any person where the issuance
19 to him of a permit would not be in the interest of the public health, safety or
20 welfare; nor unless the person desiring such permit is of good character,
21 good repute in the community in which he resides and produces proof of
22 his**]*** **who suffers from any disability which would preclude his obtaining a
22A permit to purchase a pistol or revolver as provided in section 2A:151-33 and
22B provided that he produces proof of his* familiarity with the handling and use
22C of firearms and of the need therefor.**

23 **[**If such application is approved by the chief police officer or by the
24 sheriff, as the case may be, the applicant shall then present the same to a
25 judge of the County Court of the county in which the applicant resides. The
26 judge shall inquire into and determine the name and address of the manu-
27 facturer of the weapon, any and all manufacturer's identification numbers,
28 letters and marks, and a complete description of the kind and type of revolver,
29 pistol or other firearm which the applicant intends to carry. He shall also

30 have the fingerprints of the applicant taken and compared with any and all
31 records of fingerprints in the municipality and county in which the applicant
32 is a resident and also the records of the Supervisor of the State Bureau of
33 Identification of this State, and the National Bureau in the Department of
34 Justice in Washington, District of Columbia. Upon being satisfied of the
35 sufficiency of the application and the need of the applicant to carry concealed
36 upon his person a revolver, pistol or other firearm, the judge shall issue a
37 permit therefor.】

38 *On all such applications the chief police officer or the superintendent, as*
39 *the case may be shall have the fingerprints of the applicant taken and com-*
40 *pared with any and all records of fingerprints in the municipality and county*
41 *in which the applicant is a resident and also the records of the State Bureau*
42 *of Identification and the Federal Bureau of Investigation. He may also re-*
43 *quire reasonable proof that the applicant is of sufficient maturity and pos-*
44 *sesses sufficient skill and knowledge in the handling of firearms. On applica-*
45 *tions for a permit to carry a pistol or revolver he shall also inquire into and*
46 *determine the name and address of the manufacturer of the weapon, any and*
47 *all manufacturer's identification numbers, letters and marks, and a complete*
48 *description of the kind and type of revolver or pistol which the applicant in-*
49 *tends to carry.*

50 *If such application is approved by the chief police officer or by the super-*
51 *intendent, as the case may be, the applicant shall then present the same to*
52 *a judge of the County Court of the county in which the applicant resides.*
53 *Upon being satisfied of the sufficiency of the application, and that applicant*
54 *has never been convicted of a crime, is a person of good character, and is not*
55 *subject to any of the disabilities set forth in section *【2A:151-44 of this chap-*
56 *ter】* *2A:151-33*, and of the need of the applicant to carry a pistol or re-*
57 *volver, the judge shall issue a permit therefor.*

58 Each applicant for 【such】 a permit shall at the time of granting the
59 same pay to the clerk of the county in which he resides and in which the ap-
60 plication is made, a license fee of \$3.00.

61 One permit shall be sufficient for such revolvers, pistols or other fire-
62 arms as the applicant may possess.

63 **Failure of the issuing authority to deny the application or issue a*
64 *permit within 60 days shall be deemed to be approval thereof, unless the*
65 *applicant waives the time period herein provided or agrees to an extension*
66 *thereof in writing.**

1 36. Any person aggrieved by the denial by the chief of police or the
2 superintendent of approval for a permit to carry may request a hearing in
3 the County Court of the county in which he resides if he is a resident of New
4 Jersey or in the ***[Mercer County Court]*** **County Court of the county in*
4A *which the application is made** if he is a nonresident. The request for
5 a hearing shall be made in writing within 30 days of the denial of the appli-
6 cation for a permit. The applicant shall serve a copy of his request for a
7 hearing upon the chief of police of the municipality in which he resides if
8 he is a resident of New Jersey and upon the superintendent in all cases. The
9 hearing shall be held and a record made thereof within 30 days of the re-
10 ceipt of the application for such hearing by the judge of the County Court.
11 No formal pleading and no filing fee shall be required as a preliminary to
12 such hearing. Appeals from the results of such hearing shall be in accord-
13 ance with law. If the superintendent or police chief approves the application
14 and the County Court denies the application, then the appeal from the denial
15 of such application by the County Court shall be in accordance with law.

1 37. Applications for permits to carry a pistol or revolver and for any
2 renewals thereof shall be on forms prescribed by the superintendent and shall
3 set forth the name, residence, place of business, age, date of birth, occupa-
4 tion, sex and physical description including distinguishing physical charac-
5 teristics, if any, of the applicant; and shall state whether the applicant is a
6 citizen; whether he is an alcoholic or ***[drug addict]*** **addicted to drugs or*
6A *is an habitual user of goofballs or pep pills**; whether he has ever been
7 confined or committed to a mental institution or hospital for treatment or
8 observation of a mental or psychiatric condition on a temporary, interim

9 or permanent basis, giving the name and location of the institution or hos-
 10 pital and the dates of such confinement or commitment; whether he has
 11 been attended, treated or observed by any doctor or psychiatrist or at any
 12 hospital or mental institution on an inpatient or outpatient basis for any
 13 mental or psychiatric condition giving the name and location of the doctor,
 14 psychiatrist, hospital or institution and the dates of such occurrence; whether
 15 he presently is or ever has been a member of any organization ***[**listed as sub-
 16 versive by the Attorney General of the United States**]*** **which advocates or*
 17 *approves the commission of acts of force and violence either to overthrow*
 18 *the Government of the United States or of this State, or which seeks to deny*
 19 *others their rights under the Constitutions of either the United States or*
 20 *the State of New Jersey**; and whether he has ever been convicted of a crime
 21 or disorderly persons offense and such other information as the superin-
 22 tendent may prescribe for the proper enforcement of this chapter. The ap-
 23 plication shall be signed by the applicant under oath and shall contain the
 24 names, addresses and indorsement of the applicant, as a person of good moral
 25 character and behavior, by 3 reputable ***[**citizens**]*** **persons** who have
 26 been personally acquainted with the applicant for a period of at least 3 years
 27 next preceding the date of the application and who shall sign their indorse-
 28 ment on the application. There shall be no further conditions or require-
 29 ments added to the form or content of the application, or required by the
 30 licensing authority for the issuance of a permit than those set forth by the
 31 superintendent and those that are specifically set forth in this chapter.

32 Application blanks shall be obtainable from the superintendent and
 33 from the chief police officer of the municipality in which the applicant resides.

1 38. Section 2A:151-45 of the New Jersey Statutes is amended to read
 2 as follows:

3 2A:151-45. A permit issued under section 2A:151-44 of this **[**Title**]**
 4 *chapter* shall be sufficient authority for the holder thereof to carry **[**con-
 5 cealed upon his person**]** a revolver**[,** *or* pistol **[**or other firearm**]** in all
 6 parts of the State. Except as herein otherwise provided, all permits to

7 carry a pistol or revolver issued pursuant to [that section] this chapter
 8 shall expire on December 31 subsequent to the date of issue, and may
 9 thereafter be renewed annually in the same manner and subject to the same
 10 provisions by which the original permit was obtained*, provided that the
 11 permit shall be void at such time as the holder thereof becomes subject to
 12 any of the disabilities set forth in section 2A:151-44, in which event the
 13 holder thereof shall return the permit to the superintendent who shall then
 14 advise the licensing authority. Failure of the holder to return the permit
 15 to the superintendent within the said 5 days shall be a misdemeanor.* All
 16 permits so issued to an employee of an armored car company rendering
 16a armored car service shall continue to be in full force and effect so long as
 16b the said employee continues in his employment with the armored car com-
 16c pany and renewal of the permit shall not be required, but if the said employee
 16d ceases to be in such employment he shall surrender the permit to the author-
 16e ity which issued it.

17 Any permit may be revoked by a judge of the County Court of the
 18 county wherein the permit was issued*, after hearing upon notice, and upon
 19 a finding that the holder thereof no longer qualifies for the issuance of
 20 such permit*. The county prosecutor of any county, the chief police officer
 21 of any municipality or any citizen may apply to such judge at any time for
 22 *[a]* *the* revocation of any *such* permit *[issued, and the judge may,
 23 after hearing upon notice, revoke any permit. No person whose permit has
 24 been revoked pursuant to the provisions hereof shall thereafter be issued
 25 any permit under the provisions of this article]*.

1 39. Section 2A:151-48 of the New Jersey Statutes is amended to read
 2 as follows:

3 2A:151-48. Any person who gives or causes to be given any false in-
 4 formation, or signs a fictitious name or address, in applying for a *firearms*
 5 *purchaser identification card* or a permit to purchase or a permit to carry
 6 a pistol, revolver, or other firearm, or *in completing the certificate or any*
 7 *other instrument required by this act* in purchasing or otherwise acquiring

8 delivery **【thereof】** of any rifle, shotgun, pistol, revolver or other firearm,
9 is guilty of a high misdemeanor.

1 40. Section 2A:151-49 of the New Jersey Statutes is amended to read
2 as follows:

3 2A:151-49. The term "machine gun or automatic rifle," as used in this
4 **【article】** *chapter*, means any weapon, mechanism or instrument not re-
5 quiring that the trigger be pressed for each shot and having a reservoir, belt
6 or other means of storing and carrying ammunition, which can be loaded
7 into the weapon, mechanism or instrument and fired therefrom **【at the rate**
8 of 5 or more shots to the second**】**.

1 41. Section 2A:151-53 of the New Jersey Statutes is amended to read
2 as follows:

3 2A:151-53. Upon the issuance of the license, the judge shall send or
4 deliver it to the **【county clerk of his county, who】** *superintendent who shall*
5 *enter a record of the license and forward the license to the local police chief*
6 *of the municipality where the licensee resides. The chief shall, in a book*
7 *provided for that purpose, enter a record of the license, stating the date*
8 *of its issuance, and the name and address of the person to whom it was*
9 *issued. After making such record the 【county clerk】 chief of police shall*
10 *deliver the license to such person.*

1 42. No incendiary or tracer type ammunition shall be discharged any-
2 where in this State except for law enforcement purposes by law enforcement
3 officers in the course of their official duties or by members of legally recog-
4 nized military organizations during the actual course of their official duties
5 in or upon military establishments or ranges constructed or maintained for
6 such purposes and except that nonincendiary shotgun tracer ammunition
7 may be used on a trap or skeet field for target purposes. Nothing in this
8 **【article】** *chapter* shall prohibit the carrying or possession for distress
9 signal purposes of flare type guns aboard boats, or ships in open tidewater
10 or upon aircraft.

1 ***[**43. If any provisions of this law or the application thereof to any per-
2 son or circumstance is held invalid, the invalidity shall not affect other pro-
3 visions or applications of the law which can be given effect without the in-
4 valid provision or application, and to this end the provisions of this law are
5 severable.**]***

6 *43. *If any provision of this act, or any application of any provision, is*
7 *held invalid, the invalidity shall not affect other applications of the pro-*
8 *vision, or other provisions of the act, which reasonably can be given effect*
9 *despite the invalidity.**

1 44. All violations of this chapter where no specific penalty is otherwise
2 prescribed shall be considered to be misdemeanors.

1 45. This act shall take effect 60 days after enactment.

ASSEMBLY, No. 165

STATE OF NEW JERSEY

INTRODUCED JANUARY 24, 1966

By Assemblymen BRADY, McLEON and POLICASTRO

Referred to Committee on State Government

AN ACT concerning firearms and other dangerous weapons and revising, repealing and supplementing parts of the statutory law.

1 BE IT ENACTED by the Senate and General Assembly of the State of New
2 Jersey:

1 1. Section 2A:151-1 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-1. *The following definitions apply to this chapter:*

4 a. *Firearm or firearms includes any pistol, revolver, rifle, shotgun,*
5 *machine gun, automatic and semiautomatic rifle, or other firearm as the term*
6 *is commonly used, or any gun, device or instrument from which may be fired*
7 *or ejected any solid projectile, ball, slug, pellet, missile or bullet, or any gas,*
8 *vapor or other noxious thing, by means of a cartridge or shell or by the action*
9 *of an explosive or the igniting of flammable or explosive substances, or other-*
10 *wise.*

11 b. [The words "pistol" or "revolver" as used in this chapter include a
12 shotgun, rifle or other] *Pistol or revolver includes any firearm with an*
13 *over-all length less than 26 inches, or a shotgun having a barrel or barrels of*
14 *a length less than 18 inches, or a rifle having a barrel length less than 16 inches.*

15 c. *Rifle and shotgun includes all other firearms with over-all length of*
16 *26 inches or greater, provided the length of the barrel or barrels, if a shotgun,*

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

17 is 18 or more inches, and if a rifle is 16 or more inches but does not include
18-19 machine guns or automatic rifles as defined in section 2A:151-49.

20 d. Person includes any individual, corporation, partnership, firm or asso-
21 ciation of any kind or nature whatsoever; any public entity of any kind or
22 nature; the plural as well as the singular and any gender.

23 e. Superintendent means the Superintendent of State Police.

24 f. Manufacturer includes all persons who receive or obtain raw materials
25 or parts and process them into firearms or finished parts of firearms, except
26 those persons who exclusively process grips, stocks and other nonmetal parts
27 of firearms. It shall not include those persons who repair existing firearms or
28 who receive and use raw materials or parts solely for the repair of existing
29 firearms.

30 g. Wholesale dealer includes all persons except the manufacturer, who
31 sell, transfer or assign firearms, or parts of firearms, to persons who are
32 reasonably understood not to be the ultimate consumer, and shall include
33 persons, except the manufacturer, who receive finished parts of firearms and
34 assemble them into completed or partially completed firearms, in further-
35 ance of such purpose, except that it shall not include those persons dealing
36 exclusively in grips, stocks and other nonmetal parts of firearms.

37 h. Retail dealer includes all persons except the manufacturer and whole-
38 sale dealer who sell, transfer or assign for a fee or profit any firearm or parts
39 of firearms which they have purchased or obtained with the intention, or for
40 the purpose, of reselling or reassigning to persons who are reasonably under-
41 stood to be the ultimate consumer. It shall also include any person who sells
42 any firearm to satisfy a debt secured by the pledge of a firearm.

43 i. Dangerous instrument includes any blackjack, slingshot, slung shot,
44 billy, sandclub, sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous
45 knife, razor, stiletto, cestus or similar leather band studded with metal for
46 fitting on the knuckles, loose wool imbedded with metal filings, razor blades
47 imbedded in wood slivers, broken bottles, glass, handcuffs, iron claws, grenade,
48 bomb or other high explosive.

1 2. Section 2A:151-2 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-2. Any pawnbroker who sells or possesses for sale or to **[loan]**
4 *lend* or give away, **[a machine gun, automatic rifle, a revolver, pistol, or**
5 **other]** any firearm, *as defined in 2A:151-1 or 2A:151-13* or **[other]** danger-
6 *ous* instrument of any kind **[known as a blackjack, slung shot, billy, sandclub,**
7 **sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous knife, stiletto,**
8 **bomb or other high explosive]** is guilty of a high misdemeanor.

1 3. Section 2A:151-4 of the New Jersey Statutes is amended to read
2 as follows:

3 2A:151-4. Any person becoming the lawful possessor of **[a pistol, re-**
4 **volver or other]** any firearm **[of a size capable of being concealed upon the**
5 **person,]** who sells, gives or transfers the same to any other person **[without**
6 **first notifying the police authorities]** *except in the manner provided by this*
7 *chapter*, is guilty of a misdemeanor. **[This section does not apply to whole-**
8 **sale or retail dealers or manufacturers who have complied with the pro-**
9 **visions of this chapter.]**

1 4. Section 2A:151-5 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-5. Any person who commits or attempts to commit an assault,
4 robbery, larceny, burglary, **[or]** breaking and entering, *rape, murder, may-*
5 *hem, arson, abduction, extortion, kidnapping, sodomy or treason, or who is*
6 *a fugitive from justice*, when armed with or having in his possession any
7 **[machine gun, automatic rifle, revolver, pistol, or other]** firearm, *as defined*
8 *by section 2A:151-1 or 2A:151-13 of this chapter* or **[a gun, device or]**
9 *dangerous* instrument from which may be fired or ejected any gas, vapor or
10 other noxious thing by means of a missile, pellet, bullet or otherwise, or
11 other instrument of any kind **[known as a blackjack, slung shot, billy, sand-**
12 **club, sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous knife, razor,**
13 **stiletto, bomb or other high explosive]**, or any object or device, whether toy
14 or imitation, having an appearance similar to or capable of being mistaken

15 for any of the foregoing, shall, in addition to the punishment provided for
 16 the crime, be punished on a first conviction by imprisonment for not *less than*
 17 *one nor* more than [5] 10 years; upon a second conviction by imprisonment
 18 for not *less than 3 nor* more than [10] 15 years; upon a third conviction by
 19 imprisonment for not *less than 5 nor* more than [15] 20 years; and upon a
 20 fourth or subsequent conviction, by imprisonment for not *less than 10 years*
 21 *nor* more than [20 years or] for life, in the discretion of the court. No such
 22 additional punishment shall be imposed unless the indictment shall have
 23 averred that the person was armed with or had in his possession any such
 24 instrument and conviction was had thereon.

1 5. Section 2A:151-6 of the New Jersey Statutes is amended to read
 2 as follows:

3 2A:151-6. In the trial of any person for committing or attempting to
 4 commit any crime enumerated in section 2A:151-5 of this [Title] chap-
 5 *ter*, the fact that he was armed with or had in his possession any [of the]
 6 firearm[s], *as defined in section 2A:151-1 or 2A:151-13 of this chapter*, or
 7 *any dangerous instrument[s] [enumerated in section 2A:151-2 of this Title*
 8 *without a permit to carry the same,]* is *prima facie* evidence of his intention
 9 to commit a crime of violence.

1 6. Section 2A:151-7 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-7. The presence of a *firearm or any grenade, bomb or other high*
 4 *explosive* in a vehicle is presumptive evidence of possession by all persons
 5 occupying the vehicle at the time.

1 7. Section 2A:151-8 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-8. Any person, having been convicted in this State or elsewhere
 4 of any crime *or offense* enumerated in section 2A:151-5 of this Title, [when]
 5 *whether or not* armed with or having in his possession any [of the] fire-
 6 arm[s] *as defined in section 2A:151-1 or 2A:151-13 of this chapter or dan-*
 7 *gerous instrument[s enumerated in that section], or any person who has ever*

8 *been committed for a mental disorder to any hospital, mental institution or*
9 *sanitarium unless he possesses a certificate of a medical doctor or psychia-*
10 *trist licensed in New Jersey that he is no longer suffering from a mental dis-*
11 *order which interferes with or handicaps him in the handling of a firearm,*
12 *or any person who is addicted to narcotics, goofballs or pep pills, or any per-*
13 *son who is a member of an organization listed as subversive by the Attorney*
14 *General of the United States, who purchases, owns, possesses or controls any*
15 *[of the said] firearm[s] or dangerous instrument[s], is guilty of a misde-*
16 *meanor.*

1 8. Section 2A:151-9 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-9. *Any person shall have the right to refuse to sell any firearm*
4 *or dangerous instrument to any other person, provided however that any*
5 *[Any] person who knowingly sells any [of the] firearm[s] or dangerous*
6 *instrument[s enumerated in section 2A:151-5 of this Title] to a person who*
7 *has ever been confined for a mental disorder to a hospital, mental institu-*
8 *tion or sanitarium, unless he produces a certificate of a licensed New Jersey*
9 *medical doctor or psychiatrist that he is no longer suffering from any mental*
10 *disorder which would interfere with or handicap him in the handling of a*
11 *firearm; who is addicted to narcotic drugs, pep pills or goofballs; who is an*
12 *alcoholic; who is a member of an organization listed as subversive by the At-*
13 *torney General of the United States; who has been convicted in this State*
14 *or elsewhere of committing or attempting to commit any crime or offense*
15 *enumerated in section 2A:151-5 of this chapter, whether or not armed with*
16 *or having in his possession any firearm as defined in section 2A:151-1 or*
17 *2A:151-13 of this chapter or any dangerous instrument; or where the seller*
18 *has reason to believe that the person is of unsound mind or suffers from a*
19 *physical defect or sickness which would make it unsafe for him to handle fire-*
20 *arms, [not of sound mind, or to a drug addict, or to a person who has been*
21 *convicted of committing or attempting to commit any crime enumerated in*
22 *that section when armed with any of the firearms or instruments therein*

23 enumerated] is guilty of a misdemeanor. *The presentation of a permit for*
 24 *the purchase of a pistol or revolver, or the signing of a certification and*
 25 *presentation of a firearms purchaser identification card for the purchase of*
 26 *a rifle or shotgun as set forth in section 2A:151-32 of this chapter, shall be*
 27 *prima facie evidence of compliance with the requirements of this chapter.*

1 9. Section 2A:151-10 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-10. Any person who knowingly offers, sells, [loans] lends, leases
 4 or gives to any person under the age of 18 years, any [of the] firearm[s]
 5 or dangerous instrument[s enumerated in section 2A:151-2 of this Title], or
 6 a toy pistol or other instrument from which a loaded or blank cartridge may
 7 be fired, or any loaded or blank cartridge therefor, *except to the extent it is*
 8 *permissible for a minor to purchase, barter, exchange or otherwise acquire a*
 9 *firearm or weapon under section 2A:151-11 of this chapter, or unless said*
 10 *minor has successfully completed a hunter's safety course taught by a quali-*
 11 *fied instructor or game warden and carries in his possession a certificate*
 12 *indicating the successful completion of such a course and a valid hunting*
 13 *license in his own name and furnishes the seller with written consent to*
 14 *his possession thereof by his parent or legal guardian, is guilty of a misde-*
 15 *meanor.*

1 10. Section 2A:151-11 of the New Jersey Statutes is amended to read
 2 as follows:

3 2A:151-11. Any person under the age of 18 years who purchases, bar-
 4 ters, borrows, acquires or exchanges any [gun, pistol, toy pistol, or other]
 5 firearm or [any instrument or] weapon from which any loaded or blank
 6 cartridges may be fired *except as provided in section 2A:151-33 of this*
 7 *chapter; or [any person under the age of 16 years] who carries, fires or*
 8 *uses any such firearm, dangerous instrument or weapon except in the actual*
 9 *presence or under the direct supervision of his father, mother, guardian or*
 10 *some other [responsible adult] person who is himself a holder of a permit*
 11 *to purchase or to carry a pistol or revolver or a firearms purchaser identi-*

12 *fication card, or for the purpose of military drill under the auspices of a*
 13 *legally recognized military organization and under competent supervision, or*
 14 *for the purpose of competition or target practice in and upon a firing range*
 15 *approved by the governing body or the chief of police of the municipality*
 16 *in which such range is located[,] or the National Rifle Association and*
 17 *which is under competent supervision at the time of such competition or*
 18 *target practice, is guilty of a misdemeanor; provided however that a minor*
 19 *under the age of 18 years who has successfully completed a hunter's safety*
 20 *course taught by a qualified instructor or game warden and carries in his*
 21 *possession a certificate indicating the successful completion of such a course*
 22 *and has a valid hunting license in his own name, may carry and use a rifle*
 23 *or shotgun for the purpose of hunting during the regularly designated hunt-*
 24 *ing season.*

1 11. Section 2A:151-12 of the New Jersey Statutes is amended to read as
 2 follows:

3 2A:151-12. Any person who manufactures or causes to be manufactured,
 4 or sells or keeps for sale, or offers, gives or disposes of any *dangerous instru-*
 5 *ment [or weapon of the kinds usually known as a blackjack, slung shot, billy,*
 6 *sandclub, sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous knife,*
 7 *stiletto or bomb,]* to any person, *except in accordance with Federal or State*
 8 *law* is guilty of a misdemeanor.

1 12. Section 2A:151-13 of the New Jersey Statutes is amended to read
 2 as follows:

3 2A:151-13. Any person who manufactures, sells, barter, exchanges,
 4 hires, [loans] lends, gives, buys, possesses, uses, shoots or knowingly de-
 5 livers a *firearm which is in the nature of any air gun, spring gun or pistol,*
 6 *carbon dioxide or compressed air gun or pistol, or other weapon of a similar*
 7 *nature in which the propelling force is a spring, elastic band, carbon*
 8 *dioxide, compressed or other gas, or vapor, [or] air or compressed air, or*
 9 *is ignited by compressed air, and ejecting a bullet or missile smaller than 3/8*

10 of an inch in diameter, with sufficient force to injure the person, is guilty
11 of a misdemeanor.

1 13. Section 2A:151-15 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-15. Any person who alters, changes, removes, disfigures,
4 obliterates or defaces the name of the maker, model, manufacturer's or
5 serial number, or other mark of identification of any **[pistol or revolver]**
6 *firearm*; and any person engaged in the retail business of selling, leasing or
7 otherwise transferring **[pistols, revolvers, or other]** firearms, who sells,
8 leases or transfers any **[pistol or revolver]** *firearm* whose serial number has
9 been altered, changed, disfigured or defaced is guilty of a misdemeanor.

1 14. Section 2A:151-16 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-16. No property right exists in firearms unlawfully possessed,
4 carried, *acquired* or used, and all such firearms are declared to be nuisances
5 and forfeited to the State. When such forfeited firearms are taken from
6 any person, they shall be surrendered to the sheriff of the county in which
7 taken, or to the head of the police department in municipalities, or to the
8 office of the county prosecutor *and may be disposed of when they are no*
9 *longer needed for evidential purposes and after they have been inventoried*
10 *and their disposition witnessed and recorded by the head of the agency having*
11 *possession or his representative designated for this purpose.* If any such
12 firearms are found to be the property of an innocent owner *prior to their*
13 *disposition*, they shall be returned to him if and when no longer needed for
14 evidential purposes.

1 15. Section 2A:151-18 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-18. This chapter does not apply to antique **[pistols unsuitable**
4 **for use as]** firearms *which are incapable of being fired or discharged and*
5 *which do not fire fixed ammunition, or those manufactured before 1898 for*

6 *which cartridge ammunition is not commercially available, and are possessed*
7 *as curiosities or ornaments.*

1 16. Section 2A:151-19 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-19. ~~Any~~ *No* person ~~who~~ *shall* ~~manufactures~~ *manufacture*
4 *or* ~~sells~~ *sell* at wholesale any ~~machine gun, automatic rifle, revolver,~~
5 ~~pistol, or other~~ *firearm*, ~~or~~ *other* *dangerous* instrument of any kind,
6 ~~known as a dagger, dirk, dangerous knife, stiletto,~~ *grenade, bomb or*
7 *other high explosive*, ~~shall be~~ *until he has* registered with the super-
8 intendent ~~of State Police~~ and ~~shall~~ *has* ~~furnished~~ *furnish* him with
9 such particulars as may be prescribed by law *and by rules and regulations*
10 *promulgated by the superintendent* for registration. *The application for*
11 *registration shall be accompanied by a fee of \$50.00.*

12 *The superintendent shall prescribe standards and qualifications for*
13 *registration of manufacturers and wholesalers of firearms, for the protection*
14 *of the public safety, health and welfare.* If the superintendent ~~of State~~
15 ~~Police~~ is satisfied that an applicant for registration cannot be permitted to
16 carry on business as a manufacturer or wholesale dealer in the firearms or
17 instruments herein enumerated without danger to the public *health, safety*
18 *or welfare*, he may refuse to register the applicant.

19 The superintendent ~~of State Police~~ shall furnish a certificate of
20 registration to every person registered under this section.

1 17. Section 2A:151-22 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-22. Every manufacturer and wholesale dealer shall keep a de-
4 tailed record of each firearm or instrument *enumerated in section 2A:151-19*
5 *of this chapter* sold by him. The record shall include the date of sale, the
6 name *and address* of purchaser, description of *each* firearm or instrument
7 and the serial number thereof. The information contained in the record
8 shall be available ~~to police and other public officials in the performance of~~

9 their official duties] at all reasonable hours for inspection by any law
10 enforcement officer as enumerated in section 2A:151-24 of this chapter.

1 18. Section 2A:151-24 of the New Jersey Statutes is amended to read
2 as follows:

3 2A:151-24. No retail dealer shall sell or expose for sale, or possess with
4 intent to sell, any [of the] firearm[s] or dangerous instrument[s] [enu-
5 merated in section 2A:151-2 of this Title], except that a retail dealer may
6 [sell any razor, or any rifle or shotgun with over-all length of 26 inches or
7 more, and may] be licensed to sell [pistols and revolvers] firearms as here-
8 inafter provided.

9 *The superintendent shall prescribe standards and qualifications for re-*
10 *tail dealers of firearms for the protection of the public safety, health and wel-*
11 *fare.*

12 A judge of the County Court of the county wherein the retail dealer
13 has his place of business [may, in his discretion,] shall grant licenses in
14 form prescribed by the Superintendent of State Police, to applicants who
15 meet such standards and qualifications, effective for not more than 1 year
16 from the date of issue, permitting the licensee to sell [pistols or revolvers]
17 firearms at retail within a specified municipality. [, subject to the following
18 conditions, for breach of any of which the license shall be subject to for-
19 feiture:]

20 *No license shall be granted to any person under the age of 21 years or*
21 *to any person who could not qualify to obtain a permit to purchase a pistol*
22 *or revolver or firearms purchaser identification card under section 2A:151-33*
23 *of this chapter, or to any corporation, partnership or other business organ-*
24 *ization in which a controlling or dominating interest is held or possessed by*
25 *such a person or persons.*

26 *Licenses shall be granted subject to the following conditions, for breach*
27 *of any of which the license shall be subject to revocation on application of*
28 *any law enforcement officer and after hearing by the issuing court.*

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

32 b. The license or a copy certified by the issuing authority shall be dis-
33 played in a conspicuous place on the premises in which the business is con-
34 ducted where it can be easily read;

35 c. No pistol or revolver or imitation thereof 【or placard advertising the
36 sale thereof,】 shall be placed in any window or in any part of the premises
37 where it can readily be seen from the outside;

38 d. No pistol or revolver shall be delivered *to any person:*

39 1. Unless the 【purchaser】 *person* has obtained a permit to purchase
40 under the provisions of 【article 4 of this chapter (§】 *sections 2A:151-32*
41 *【et seq.】 through 2A:151-39 of this chapter;*

42 2. Until 7 days have elapsed after the date of the application for the
43 permit;

44 3. Unless the 【purchaser】 *person* either is personally known to the
45 seller or presents evidence of his identity;

46 4. Unless the pistol or revolver is unloaded and securely wrapped;

47 e. A true record of every pistol or revolver sold, *given or otherwise*
48 *delivered or disposed of* shall be kept by the retail dealer in accordance with
49 the provisions of sections 2A:151-25 to 2A:151-29 of this Title.

50 f. *No rifle or shotgun shall be delivered to any person;*

51 1. *Unless the person has obtained a firearms purchaser identification card*
52 *under the provisions of this chapter;*

53 2. *Unless the person has exhibited his firearms purchaser identification*
54 *card and furnished the seller, on a form prescribed by the superintendent,*
55 *a certification signed by him which shall contain among other things the*
56 *name, permanent home address and firearms purchaser identification card*
57 *number of said person. The certification shall be retained by the dealer and*
58 *shall for law enforcement purposes be made available for inspection by regu-*

59 lar members of an organized police department of the county in which the
60 retail business is located and members of the State Police.

61 【No license to sell at retail shall be granted except as provided in this
62 section.】

1 19. Section 2A:151-25 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-25. Every person engaged in the retail business of selling, lease-
4 ing or otherwise transferring a pistol, or revolver, 【or other firearm, of a size
5 capable of being concealed upon the person】 whether such seller, lessor or
6 transferor is a retail dealer or otherwise, shall keep a register in which shall
7 be entered the time of the sale, lease or other transfer, the date thereof, the
8 name, age, *date of birth, complexion*, 【color, nationality,】 occupation, 【and】
9 residence *and a physical description including distinguishing physical char-*
10 *acteristics, if any*, of the purchaser, lessee or transferee, the name *and per-*
11 *manent home address* of the person making the sale, lease or transfer, the
12 place of the transaction, and the make, model, manufacturer's number,
13 caliber or other marks of identification on such pistol【,】 or revolver 【or
14 other firearm】 *and such other information as the superintendent shall deem*
15 *necessary for the proper enforcement of this chapter.* The register shall be
16 *retained by the dealer and shall be made available* 【open】 at all reasonable
17 hours for the inspection of any 【police or other peace】 *law enforcement*
18 *officer as enumerated in section 2A:151-24 of this chapter.*

1 20. Section 2A:151-26 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-26. The superintendent 【of State Police】 shall prepare the form
4 of the register *as described in 2A:151-25* 【and send a copy to the clerk of
5 every municipality who shall thereupon prepare the register in accordance
6 with the form so transmitted】 and furnish the same *in triplicate* to each per-
7 son 【within the municipality】 *licensed to be engaged in the business of selling,*
8 *leasing or otherwise transferring* 【pistols, revolvers or other】 firearms.

1 21. Section 2A:151-27 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-27. The purchaser, lessee or transferee of any pistol~~[,]~~ or re-
4 volver ~~[or other firearm of a size capable of being concealed upon the person]~~
5 shall sign, and the dealer shall require him to sign his name ~~[and affix his ad-
6 dress]~~ to the register, in ~~[duplicate]~~ *triplicate*, and the person making the
7 sale, lease or transfer shall affix his name, in ~~[duplicate]~~ *triplicate*, as a wit-
8 ness to the signature. *The signatures shall constitute a representation of the
9 accuracy of the information contained in the register.*

1 22. Section 2A:151-28 of the New Jersey Statutes is amended to read
2 as follows:

3 2A:151-28. ~~[The duplicate sheet of the register shall before 12 o'clock
4 midnight of the day]~~ *Within 5 days of the date of the sale, [lease] assign-
5 ment or transfer, [be delivered] the dealer shall deliver or mail by certified
6 mail, return receipt requested to the office of the chief of police of the munici-
7 pality in which the purchaser resides, or to the office of the captain of the
8 precinct of the municipality in which the purchaser resides, [within which
9 the dealer conducts his business] and to the superintendent, legible copies
10 of the entries in the register on the duplicate copies of the register forms.
11 [and a] If hand delivered a receipt shall be given to the dealer therefor.*

12 Where a sale, ~~[lease] assignment~~ or transfer is made *to a purchaser who
13 resides* in a municipality having no chief of police, the dealer shall, ~~[on the
14 day]~~ *within 5 days* of the transaction, mail a duplicate copy of the register
15 *sheet* to the clerk of the county within which the ~~[sale, transfer or lease was
16 made]~~ *purchaser resides.*

1 23. Section 2A:151-29 of the New Jersey Statutes is repealed

1 24. Section 2A:151-30 of the New Jersey Statutes is repealed.

1 25. Section 2A:151-32 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-32. A. No person shall sell ~~[or]~~ , *give, transfer, assign or other-
4 wise dispose of, nor receive, purchase or otherwise acquire* a pistol or re-

5 volver unless the purchaser, assignee, donee, receiver or holder is licensed
6 as a dealer under this chapter or has first secured a permit to purchase [or
7 carry] a pistol or revolver as provided by this article.

8 *B. No person shall sell, give transfer, assign or otherwise dispose of nor*
9 *receive, purchase or otherwise acquire a rifle or shotgun unless the purchaser,*
10 *assignee, donee, receiver or holder is licensed as a dealer under this chapter*
11 *or possesses a valid firearms purchaser identification card, and first, exhibits*
12 *said card to the seller, donor, transferor or assignor, and unless the pur-*
13 *chaser, assignee, donee, receiver or holder signs a written certification, on a*
14 *form prescribed by the superintendent, which shall indicate that he presently*
15 *complies with the requirements of section 2A:151-33 of this chapter, and shall*
16 *contain his name, address and firearms purchaser identification card num-*
17 *ber or dealer's registration number, and which shall be retained by the seller*
18 *as provided in section 2A:151-24 of this chapter.*

1 26. Section 2A:151-33 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-33. No person of good character and who is of good repute in the
4 community in which he lives, and who is not subject to any of the disabilities
5 set forth in *this section* or other sections of this chapter, shall be denied a
6 permit to purchase a pistol or revolver or a *firearms purchaser identification*
7 *card. No firearms purchaser identification card or pistol or revolver purchase*
8 *permit shall be issued to any person under the age of 18 years nor to any*
9 *person who suffers from a physical defect or sickness which would make it un-*
10 *safe for him to handle firearms; nor to any person who has ever been con-*
11 *finned for a mental disorder to a hospital, mental institution or sanitarium,*
12 *unless he produces a certificate of a medical doctor or psychiatrist licensed*
13 *in New Jersey that he is no longer suffering from any mental disorder which*
14 *would interfere with or handicap him in the handling of a firearm; nor to*
15 *any person who has ever been convicted of any crime; nor to any alcoholic,*
16 *drug addict or person addicted to narcotics, goofballs or pep pills; nor to*
17 *any person who is a member of an organization listed as subversive by the*

18 *Attorney General of the United States; nor to any person where the issuance*
19 *to him of a permit would not be in the interest of the public health, safety*
20 *or welfare, except that a firearms purchaser identification card may be issued*
21 *to a minor under the age of 18 who has successfully completed a hunter's*
22 *safety instruction course and who possesses a valid hunting license in his own*
23 *name and who furnishes to the issuing authority the written consent of his*
24 *mother, father or legal guardian.*

1 27. Section 2A:151-34 of the New Jersey Statutes is amended to read
2 as follows:

3 2A:151-34. The [judge of any County Court or the] chief of police of
4 [a] *the municipality where the applicant resides or the superintendent*
5 *where the municipality has no chief of police or the applicant is a non-*
6 *resident shall, upon application, issue to any person qualified under the*
7 *provisions of section 2A:151-33 of this Title, a permit to purchase a pistol*
8 *or revolver or a firearms purchaser identification card. [The Superintend-*
9 *ent of State Police shall have the power to issue a permit in any case, not-*
10 *withstanding it has been refused by a judge or chief of police, if in his*
11 *opinion the applicant is qualified.]*

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

1 28. Section 2A:151-35 of the New Jersey Statutes is hereby amended
2 to read as follows:

3 2A:151-35. Applications for permits to purchase *a pistol or revolver*
4 *and for firearms purchaser identification cards* shall be in the form prescribed
5 by the superintendent **[of State Police]** and shall set forth the name, resi-
6 dence, place of business, age, *date of birth*, occupation, sex**[, color]** and
7 physical description *including distinguishing physical characteristics, of any,*
8 of the applicant, and shall state whether the applicant is a citizen, *whether*
9 *he is an alcoholic or drug addict, whether he has ever been confined or com-*
10 *mitted to a mental institution or hospital for treatment or observation of a*
11 *mental or psychiatric condition on a temporary, interim or permanent basis,*
12 *giving the name and location of the institution or hospital and the dates*
13 *of such confinement or commitment, whether he has been attended, treated*
14 *or observed by any doctor or psychiatrist or at any hospital or mental in-*
15 *stitution on an inpatient or outpatient basis for any mental or psychiatric*
16 *condition giving the name and location of the doctor, psychiatrist, hospital*
17 *or institution and the dates of such occurrence, whether he presently or*
18 *ever has been a member of any organization listed as subversive by the*
19 *Attorney General of the United States, **[and]** whether he has ever been*
20 *convicted of **[any]** a crime, or disorderly persons offense, and such other*
21 *information as the superintendent shall deem necessary for the proper en-*
22 *forcement of this chapter.* The application shall be signed by the applicant
23 and shall contain as reference the names and addresses of 2 reputable citi-
24 zens personally acquainted with him.

25 Application blanks shall be obtainable from the superintendent **[of State**
26 **Police]** and from any other officer authorized to grant such permit *or iden-*
27 *tification card*, and may be obtained from licensed retail dealers.

28 *The chief police officer or the superintendent shall obtain the finger-*
29 *prints of the applicant and shall have them compared with any and all*
30 *records of fingerprints in the municipality and county in which the applicant*
31 *resides and also the records of the State Bureau of Identification and the*
32 *Federal Bureau of Investigation, provided that an applicant for a pistol*
33 *or revolver purchase permit who possesses a valid firearms purchaser iden-*

34 *tification card, or who has previously obtained a pistol or revolver purchase*
35 *permit from the same licensing authority for which he was previously*
36 *fingerprinted, and who provides other reasonably satisfactory proof of his*
37 *identity, need not be fingerprinted again.*

1 29. Section 2A:151-36 of the New Jersey Statutes is amended to read
2 as follows:

3 2A:151-36. The application for the permit to purchase a *pistol or re-*
4 *volver, or for the firearms purchase identification card*, together with a fee
5 of ~~[\$1.00]~~ \$2.00 shall be delivered or forwarded to the licensing authority
6 who shall investigate the same, and unless good cause for the denial thereof
7 appears, shall grant the permit, *or the identification card, or both, if appli-*
8 *cation has been made therefor*, within 7 days from the date of receipt of the
9 application *for residents of this State and within 15 days for nonresident*
10 *applicants.* ~~¶~~ If the permit is not granted the fee shall be returned to the
11 applicant. ~~¶~~ *A permit to purchase a pistol or revolver shall be valid for a*
12 *period of 60 days from the date of issuance and may be renewed by the*
13 *issuing authority for good cause for an additional 60 days. A firearms pur-*
14 *chaser identification card shall be valid permanently or until such time as*
15 *the holder becomes subject to any of the disabilities set forth in section*
16 *2A:151-33 of this chapter, whereupon the card will automatically be void*
17 *and shall be returned within 5 days by the holder to the superintendent,*
18 *who shall then advise the licensing authority. Failure of the holder to return*
19 *the firearms purchaser identification card to the superintendent within the*
20 *said 5 days shall be a misdemeanor.*

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

1 30. Section 2A:151-38 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-38. The permit shall be in the form prescribed by the superin-
4 tendent **[of State Police]** and shall be issued to the applicant in **[tripli-**
5 **cate]** *quadruplicate*. *Prior to the time he receives the pistol or revolver*
6 *from the seller, [T]* the applicant shall deliver to the seller the permit in
7 **[triplicate]** *quadruplicate* and the seller shall **[indorse on the back of each**
8 **copy the make, model, caliber and serial number of the pistol or revolver**
9 **sold under the permit. One]** *complete all of the information required on the*
10 *form. Within 5 days of the date of the sale, the seller shall forward the orig-*
11 *inal copy to the superintendent and the second copy to the chief of police of*
12 *the municipality in which the purchaser resides, except that in a munici-*
13 *pality having no chief of police, such copy shall be forwarded to the clerk of*
14 *the county wherein the municipality is located. The third copy shall then*
15 *be returned to the purchaser with the pistol or revolver***[, 1]** *and the fourth*
16 *copy shall be kept by the seller as a permanent record***[, and the third copy**
17 **shall be forwarded by the seller within 3 days to the Superintendent of State**
18 **Police]**.

1 31. Section 2A:151-39 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-39. A person shall not be restricted as to the number of pistols
4 or revolvers he may purchase, if he applies for and obtains permits to pur-
5 chase the same, but only one pistol or revolver shall be purchased or de-
6 livered on each permit, *except that a person shall not be restricted as to the*
7 *number of rifles or shotguns he may purchase provided he possesses a valid*
8 *firearms purchaser identification card and provided further that he signs the*
9 *certification required in section 2A:151-32B of this chapter for each trans-*
10 *action.*

1 32. Section 2A:151-41 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-41. Except as hereinafter provided, any person who carries,
4 *holds or possesses* in any automobile, carriage, motor cycle or other vehicle,
5 or **[concealed]** on or about his clothes or person, or otherwise **[concealed]**

6 in his possession, *or in his possession or under his control in any public place*
7 *or public area*:

8 a. A pistol, revolver or other firearm without first having obtained a per-
9 mit to carry the same in accordance with the provisions of this chapter; or

10 b. Any *dangerous* instrument [of the kinds known as a blackjack, slung
11 shot, billy, sandclub, sandbag, bludgeon, metal knuckles, cestus or similar
12 leather band studded with metal for fitting on the knuckles, loose wool im-
13 pregnated with metal filings, or razor blades imbedded in wood slivers, dag-
14 ger, dirk, dangerous knife, stiletto, bomb or any high explosive, other than
15 fixed ammunition], is guilty of a misdemeanor.

1 33. Section 2A:151-42 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-42. Nothing contained in section 2A:151-41 of this Title shall
4 be construed to prevent a person from keeping or carrying about his place
5 of business, dwelling house, premises, or on land possessed by him, any pistol,
6 revolver, firearm or other weapon, or from carrying the same from any place
7 of purchase to his dwelling house or place of business, or from his dwelling
8 house or place of business to or from any place where repairing is done, to
9 have the same repaired, nor to prevent any person from carrying a gun,
10 rifle, *shotgun* or knife in the woods or fields or upon the waters of this State
11 for the purpose of hunting, [or] target practice, *or fishing, nor to prevent*
12 *any person from transporting any pistol, revolver or other firearm while*
13 *traveling directly to or directly from any target range or other authorized*
14 *place for the purpose of practice, match or target shooting, trap or skeet*
15 *shooting or shooting exhibitions, or for the purpose of hunting provided*
16 *such person has in his possession a valid hunter's license, and provided in all*
17 *cases that the firearm is unloaded and contained in a closed and fastened case,*
18 *gunbox or securely tied package.*

1 34. Section 2A:151-43 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-43. Section 2A:151-41 of this Title does not apply to:

4 a. The United States Marshal or his deputies;

5 b. Members of the Armed Forces of the United States or of the National
6 Guard when on duty;

7 c. Any sheriff, undersheriff, deputy sheriff, county prosecutor, assistant
8 prosecutor or prosecutor's detective;

9 d. The regularly employed members, including detectives, of the police
10 department of any county or municipality or of any State, interstate, munici-
11 pal or county park police force or of any county boulevard police force at
12 all times, while within the State of New Jersey, or any special policeman
13 appointed by the governing body of any county or municipality or by the
14 commission or other board or body having control of any county park police
15 force or any county boulevard police force while engaged in the actual
16 performance of his official duties;

17 e. Any member of the State Police, or any motor vehicle inspector [or
18 State detective];

19 f. Any jailer, constable, railway police, [canal or steamboat police,] or
20 any other peace officer, when in discharge of his duties;

21 g. The fish and game commissioners, or the regular fish and game
22 wardens, or full-time employees of the Division of Shell Fisheries having the
23 power of arrest and authorized to carry weapons;

24 h. Any prison or jail wardens or their deputies, or any guard or keeper
25 of any penal institution in this State, while engaged in the actual perform-
26 ance of the duties of their positions and when so required by their superior
27 officers to carry firearms;

28 i. Any court attendant serving as such under appointment by the sheriff
29 of the county or by the judge of or magistrate of any court of this State
30 *while in the performance of his duties*;

31 j. (Deleted by amendment.)

32 k. Any guard in the employ of any railway express company, banking or
33 building and loan or savings and loan institution of this State[;] *while in the*
34 *performance of his duties*;

35 l. Any officer of the society for the prevention of cruelty to animals;

36 m. Any **[duly authorized]** *legally recognized* military organization when
37 under orders, or any member thereof when going to or from the place of
38 meeting of the organization, carrying the weapons prescribed for drill, ex-
39 ercise or parade;

40 n. Persons having a hunter's license in going to or from places of hunting
41 *as set forth in section 2A:151-42 of this chapter;*

42 o. Members of government *or* civilian rifle *or* pistol clubs duly organized
43 in accordance with the rules prescribed by the **[n]**National **[b]**Board for the
44 **[p]**Promotion of **[r]**Rifle **[p]**Practice, in going to or from their several
45 places of target practice and carrying weapons necessary for such practice;
46 *provided further that a copy of the charter is filed with the superintendent*
47 *and a list of the members of the club is submitted annually to the*
48 *superintendent;*

49 p. The director, deputy directors, inspectors and investigators of the
50 Division of Alcoholic Beverage Control in the Department of Law and Public
51 Safety;

52 q. *Employees of* **[Public]** *public utility corporations actually engaged*
53 *in the transportation of explosives; [or]*

54 r. Any civil employee of the United States Government under the super-
55 vision of the commanding officer of any post, camp, station, base or other
56 military or naval installation located within this State who is required, in
57 the performance of his official duties, to carry firearms, and who is authorized
58 to carry such firearms by said commanding officer, while such civil employee
59 is engaged in the actual performance of his official duties; *or*

60 s. *Law enforcement officers employed by governmental agencies outside*
61 *of the State of New Jersey who are engaged in their official duties provided*
62 *that they have first notified the chief law enforcement officer of the munici-*
63 *pality in which they are engaged or the superintendent.*

1 35. Section 2A:151-44 of the New Jersey Statutes is amended to read as
2 follows:

3 2A:151-44. Any person desiring to obtain a permit to carry a revolver,
4 pistol, or other firearm shall in the first instance make application therefor
5 either to the chief police officer of the municipality in which the applicant re-
6 sides or to the [sheriff of the county wherein the applicant resides] super-
7 intendent *if there is no chief police officer in the municipality where the ap-*
8 *plicant resides.* [of State Police] *No permit shall be issued to any person*
9 *who suffers from a physical defect or sickness which would make it unsafe*
10 *for him to handle firearms; nor to any person who has ever been confined for*
11 *a mental disorder to a hospital, mental institution or sanitarium, unless he*
12 *produces a certificate of a medical doctor or psychiatrist licensed in New*
13 *Jersey that he is no longer suffering from any mental disorder which would*
14 *interfere with or handicap him in the handling of a firearm; nor to any per-*
15 *son who has ever been convicted of any crime; nor to any alcoholic, drug ad-*
16 *dict or person addicted to narcotics, goofballs or pep pills; nor to any per-*
17 *son who is a member of an organization listed as subversive by the Attorney*
18 *General of the United States; nor to any person where the issuance to him*
19 *of a permit would not be in the interest of the public health, safety or wel-*
20 *fare; nor unless the person desiring such permit is of good character, good*
21 *repute in the community in which he resides and produces proof of his*
22 *familiarity with the handling and use of firearms and of the need therefor.*

23 [If such application is approved by the chief police officer or by the
24 sheriff, as the case may be, the applicant shall then present the same to a
25 judge of the County Court of the county in which the applicant resides. The
26 judge shall inquire into and determine the name and address of the manu-
27 facturer of the weapon, any and all manufacturer's identification numbers,
28 letters and marks, and a complete description of the kind and type of revolver,
29 pistol or other firearm which the applicant intends to carry. He shall also
30 have the fingerprints of the applicant taken and compared with any and all
31 records of fingerprints in the municipality and county in which the applicant
32 is a resident and also the records of the Supervisor of the State Bureau of
33 Identification of this State, and the National Bureau in the Department of

34 Justice in Washington, District of Columbia. Upon being satisfied of the
35 sufficiency of the application and the need of the applicant to carry concealed
36 upon his person a revolver, pistol or other firearm, the judge shall issue a
37 permit therefor.】

38 *On all such applications the chief police officer or the superintendent, as*
39 *the case may be shall have the fingerprints of the applicant taken and com-*
40 *pared with any and all records of fingerprints in the municipality and county*
41 *in which the applicant is a resident and also the records of the State Bureau*
42 *of Identification and the Federal Bureau of Investigation. He may also re-*
43 *quire reasonable proof that the applicant is of sufficient maturity and pos-*
44 *sesses sufficient skill and knowledge in the handling of firearms. On applica-*
45 *tions for a permit to carry a pistol or revolver he shall also inquire into and*
46 *determine the name and address of the manufacturer of the weapon, any and*
47 *all manufacturer's identification numbers, letters and marks, and a complete*
48 *description of the kind and type of revolver or pistol which the applicant in-*
49 *tends to carry.*

50 *If such application is approved by the chief police officer or by the super-*
51 *intendent, as the case may be, the applicant shall then present the same to*
52 *a judge of the County Court of the county in which the applicant resides.*
53 *Upon being satisfied of the sufficiency of the application, and that applicant*
54 *has never been convicted of a crime, is a person of good character, and is not*
55 *subject to any of the disabilities set forth in section 2A:151-44 of this chapter,*
56 *and of the need of the applicant to carry a pistol or revolver, the judge shall*
57 *issue a permit therefor.*

58 Each applicant for [such] a permit shall at the time of granting the
59 same pay to the clerk of the county in which he resides and in which the ap-
60 plication is made, a license fee of \$3.00.

61 One permit shall be sufficient for such revolvers, pistols or other fire-
62 arms as the applicant may possess.

1 36. Any person aggrieved by the denial by the chief of police or the
2 superintendent of approval for a permit to carry may request a hearing in

3 the County Court of the county in which he resides if he is a resident of New
4 Jersey or in the Mercer County Court if he is a nonresident. The request for
5 a hearing shall be made in writing within 30 days of the denial of the appli-
6 cation for a permit. The applicant shall serve a copy of his request for a
7 hearing upon the chief of police of the municipality in which he resides if
8 he is a resident of New Jersey and upon the superintendent in all cases. The
9 hearing shall be held and a record made thereof within 30 days of the re-
10 ceipt of the application for such hearing by the judge of the County Court.
11 No formal pleading and no filing fee shall be required as a preliminary to
12 such hearing. Appeals from the results of such hearing shall be in accord-
13 ance with law. If the superintendent or police chief approves the application
14 and the County Court denies the application, then the appeal from the denial
15 of such application by the County Court shall be in accordance with law.

1 37. Applications for permits to carry a pistol or revolver and for any
2 renewals thereof shall be on forms prescribed by the superintendent and shall
3 set forth the name, residence, place of business, age, date of birth, occupa-
4 tion, sex and physical description including distinguishing physical charac-
5 teristics, if any, of the applicant; and shall state whether the applicant is a
6 citizen; whether he is an alcoholic or drug addict; whether he has ever been
7 confined or committed to a mental institution or hospital for treatment or
8 observation of a mental or psychiatric condition on a temporary, interim
9 or permanent basis, giving the name and location of the institution or hos-
10 pital and the dates of such confinement or commitment; whether he has
11 been attended, treated or observed by any doctor or psychiatrist or at any
12 hospital or mental institution on an inpatient or outpatient basis for any
13 mental or psychiatric condition giving the name and location of the doctor,
14 psychiatrist, hospital or institution and the dates of such occurrence; whether
15 he presently is or ever has been a member of any organization listed as sub-
16 versive by the Attorney General of the United States; and whether he has
17 ever been convicted of a crime or disorderly persons offense and such other
18 information as the superintendent may prescribe for the proper enforce-

19 ment of this chapter. The application shall be signed by the applicant under
20 oath and shall contain the names, addresses and indorsement of the appli-
21 cant, as a person of good moral character and behavior, by 3 reputable citi-
22 zens who have been personally acquainted with the applicant for a period
23 of at least 3 years next preceding the date of the application and who shall
24 sign their indorsement on the application. There shall be no further condi-
25 tions or requirements added to the form or content of the application, or
26 required by the licensing authority for the issuance of a permit than those
27 set forth by the superintendent and those that are specifically set forth in
28 this chapter.

29 Application blanks shall be obtainable from the superintendent and
30 from the chief police officer of the municipality in which the applicant resides.

1 38. Section 2A:151-45 of the New Jersey Statutes is amended to read
2 as follows:

3 2A:151-45. A permit issued under section 2A:151-44 of this [Title]
4 *chapter* shall be sufficient authority for the holder thereof to carry [con-
5 cealed upon his person] a revolver[,] or pistol [or other firearm] in all
6 parts of the State. Except as herein otherwise provided, all permits *to*
7 *carry a pistol or revolver* issued pursuant to [that section] *this chapter*
8 shall expire on December 31 subsequent to the date of issue, and may
9 thereafter be renewed annually in the same manner and subject to the same
10 provisions by which the original permit was obtained. All permits so issued
11 to an employee of an armored car company rendering armored car service
12 shall continue to be in full force and effect so long as the said employee
13 continues in his employment with the armored car company and renewal
14 of the permit shall not be required, but if the said employee ceases to be
15 in such employment he shall surrender the permit to the authority which
16 issued it.

17 Any permit may be revoked by a judge of the County Court of the
18 county wherein the permit was issued. The county prosecutor of any county,
19 the chief police officer of any municipality or any citizen may apply to such

20 judge at any time for a revocation of any permit issued, and the judge
21 may, after hearing upon notice, revoke any permit. No person whose per-
22 mit has been revoked pursuant to the provisions hereof shall thereafter be
23 issued any permit under the provisions of this article.

1 39. Section 2A:151-48 of the New Jersey Statutes is amended to read
2 as follows:

3 2A:151-48. Any person who gives or causes to be given any false in-
4 formation, or signs a fictitious name or address, in applying for a *firearms*
5 *purchaser identification card* or a permit to purchase or a permit to carry
6 a pistol, revolver, or other firearm, or *in completing the certificate or any*
7 *other instrument required by this act* in purchasing or otherwise acquiring
8 delivery [thereof] of any rifle, shotgun, pistol, revolver or other firearm,
9 is guilty of a high misdemeanor.

1 40. Section 2A:151-49 of the New Jersey Statutes is amended to read
2 as follows:

3 2A:151-49. The term "machine gun or automatic rifle," as used in this
4 article, means any weapon, mechanism or instrument not requiring that the
5 trigger be pressed for each shot and having a reservoir, belt or other means
6 of storing and carrying ammunition, which can be loaded into the weapon,
7 mechanism or instrument and fired therefrom [at the rate of 5 or more
8 shots to the second].

1 41. Section 2A:151-53 of the New Jersey Statutes is amended to read
2 as follows:

3 2A:151-53. Upon the issuance of the license, the judge shall send or
4 deliver it to the [county clerk of his county, who] *superintendent who shall*
5 *enter a record of the license and forward the license to the local police chief*
6 *of the municipality where the licensee resides. The chief shall, in a book*
7 *provided for that purpose, enter a record of the license, stating the date*
8 *of its issuance, and the name and address of the person to whom it was*
9 *issued. After making such record the [county clerk] chief of police shall*
10 *deliver the license to such person.*

1 42. No incendiary or tracer type ammunition shall be discharged any-
2 where in this State except for law enforcement purposes by law enforcement
3 officers in the course of their official duties or by members of legally recog-
4 nized military organizations during the actual course of their official duties
5 in or upon military establishments or ranges constructed or maintained for
6 such purposes and except that nonincendiary shotgun tracer ammunition
7 may be used on a trap or skeet field for target purposes. Nothing in this
8 article shall prohibit the carrying or possession for distress signal purposes
9 of flare type guns aboard boats, or ships in open tidewater or upon aircraft.

1 43. If any provisions of this law or the application thereof to any per-
2 son or circumstance is held invalid, the invalidity shall not affect other pro-
3 visions or applications of the law which can be given effect without the in-
4 valid provision or application, and to this end the provisions of this law are
5 severable.

1 44. All violations of this chapter where no specific penalty is otherwise
2 prescribed shall be considered to be misdemeanors.

1 45. This act shall take effect 60 days after enactment.

STATEMENT

The main thrust of this legislation is to prohibit the sale or purchase of fire-
arms in instances where the prospective purchaser:

(1) has a physical handicap or sickness which makes it unsafe for him to
handle firearms;

(2) has ever been confined for a mental disorder to a hospital, mental in-
stitution or sanitarium (unless a doctor will certify that he is now fit);

(3) has a criminal record, is an alcoholic, drug addict, or addicted to nar-
cotics, goofballs or pep pills;

(4) is a subversive; or

(5) where the issuance of a permit or identification card would not be in
the interest of the public health, safety or welfare.

For those who desire to purchase a pistol or revolver, it will be necessary to obtain a permit of purchase, which is the law today. If that same person desires to carry a pistol or revolver he will have to obtain a permit to carry, and that is the law today. With respect to persons who desire to purchase rifles and shotguns, they will have to obtain a firearms purchaser identification card. This card will be obtained once in a lifetime at a cost of \$2.00 and after it is obtained the holder may purchase as many rifles or shotguns as he desires; subject, however, to revocation by law enforcement agencies should the person become unfit within the above standards.

Those who obtain permits either to purchase or carry pistols or revolvers, or a firearms purchaser identification card, or both, will be fingerprinted by a chief of police or the State Police to ascertain their fitness therefor within the standards set forth in this bill. This is done because it is the only effective method of making an accurate check on the person's background. The new bill contains provisions making it mandatory for the issuing authority to grant an identification card for the purchase of rifles and shotguns, and similar provisions making it mandatory for the issuance of a permit to purchase a revolver or pistol, providing of course, in each case that the applicant qualifies. Further, express standards have been set forth describing the qualifications of the applicant in all cases and providing for initial informal review, in the event of denial of the application. Many sportsmen allege that, under present law, they are arbitrarily denied permits to purchase or to carry revolvers or pistols, due either to a lack of understanding of the present law on the part of the issuing authority, or simply because of an arbitrary decision generally not to issue permits. Such conditions will be eliminated by virtue of the standards and informal initial hearing that are incorporated in the new act. The issuance not only of permits to purchase and to carry revolvers and pistols, but also of identification cards for the purchase of rifles and shotguns, should henceforth be on a uniform standardized basis throughout the State.

The new act does *not* require registration of rifles and shotguns, nor is there a requirement for a permit to carry a rifle or shotgun. There is only a

check on the person who desires to purchase such weapons. The act does, however, impose an obligation on the seller to record all firearms sales transactions.

Changes also have been made for the benefit of the sportsman. For example, permission is given for a minor to obtain weapons for hunting or target practice, provided he completes a hunter's safety course and has a valid hunting license and the permission, in writing, of his parent or legal guardian (see sections 2A:151-10, 11). Provision has been made so that there is a right to obtain weapons so long as the purchaser is not subject to any of the disabilities contained in the act (2A:151-33). Provisions have been made for county and appellate court review of denials of permits to purchase (2A:151-34). Provision has been made permitting those who are carrying weapons for the purpose of hunting, target practice or fishing to do so while traveling to and from the target range, or the place where they are going hunting or fishing (2A:151-42).

The restrictions which this act will eliminate allegedly have been a principal source of annoyance to sportsmen in the past, since under the present law it is not permissible to carry a pistol from one's home to the target range without obtaining a permit to carry, and more often than not, permits to carry are refused for this purpose. This same exemption is carried out in 2A:151-43(n) and 2A:151-43(o). Again, provision is made to assist the sportsman in obtaining court review where there has been a denial of a permit to carry a pistol or revolver (2A:151-44).

There are, of course, many other changes in the law which have been made for the purpose of clarity. Many suggestions are contained which were presented by a group of sportsmen known as "The Citizens Committee for Firearms Legislation."

Among these suggestions are the definition in 2A:151-1 of pistol or revolver and rifle and shotgun and an increase in the penalties for violations of 2A:151-5. Although the literal language suggested by the "Citizens Committee" was not used, the act enlarges the offenses to be contained therein and extends the penalties. At the suggestion of the "Citizens Committee," 2A:151-9 was

changed from a previous bill (Assembly Bill No. 812 of 1965) to make it a crime to sell improperly only if the person selling "knowingly" does so. This change is made on the assumption that the State Police or local police will check the purchasers after getting their fingerprints. Without this assumption, section 9 is meaningless unless the word "knowingly" is deleted.

Also at the suggestion of the "Citizens Committee," section 9 of the new act includes a provision to the effect that the presentation of a permit for the purchase of a pistol or rifle or the presentation of a firearms purchaser identification card is prima facie evidence of compliance by the seller.

In addition, the "Citizens Committee's" recommendation that dealers who sell rifles or shotguns be required to register with the State Police was adopted. Present law requires such dealers to register with the United States Treasury Department. Also, under present law, dealers who sell pistols and revolvers are required to register with the State Police. No change is made in present law in these respects.

ASSEMBLY COMMITTEE AMENDMENTS TO

ASSEMBLY, No. 165

STATE OF NEW JERSEY

ADOPTED MAY 9, 1966

Amend page 1, section 1, line 6, after the word "instrument", insert "in the nature of a weapon".

Amend page 1, section 1, lines 9-10, delete ", or otherwise".

Amend page 1, section 1, line 10, insert the following new paragraph:

"It shall also include, without limitation, any firearm which is in the nature of any air gun, spring gun or pistol, carbon dioxide or compressed air gun or pistol, or other weapon of a similar nature in which the propelling force is a spring, elastic band, carbon dioxide, compressed or other gas, or vapor, air or compressed air, or is ignited by compressed air, and ejecting a bullet or missile smaller than $\frac{3}{8}$ of an inch in diameter, with sufficient force to injure the person."

Amend page 2, section 1, lines 43-48, delete in their entirety and insert in lieu thereof the following new subsection:

"i. Explosive includes any chemical compound or mixture that is commonly used or intended for the purpose of producing an explosion, that contains any oxidizing and combustible materials or other ingredients, in such proportions, quantities or packing that an ignition by fire, by friction, by concussion or by detonation of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects. The term shall not

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

include small arms ammunition, or explosives in the form prescribed by the official United States Pharmacopoeia.”.

Amend page 3, section 2, line 5, delete “, as defined in 2A:151-1 or 2A:151-13”.

Amend page 3, section 2, line 8, after the word “explosive” insert “usually known as a blackjack, sling shot, slung shot, billy, sandclub, sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous knife or knife as defined in chapter 5 of the laws of 1952 (C. 2A:151-62) stiletto, cestus, or similar band studded with metal for fitting on the knuckles, loose wool imbedded with metal filings, razor blades imbedded in wood slivers, handcuffs, iron claws, grenade, bomb or other explosive”.

Amend page 3, section 4, lines 7-8, delete “as defined by section 2A:151-1 or 2A:151-13 of this chapter”, and insert in lieu thereof “whether or not capable of being discharged”.

Amend page 3, section 4, lines 9-11, delete “from which may be fired or ejected any gas, vapor or other noxious thing by means of a missile, pellet, bullet or otherwise, or other instrument”.

Amend page 3, section 4, line 13, after the word “explosive” insert “usually known as a blackjack, sling shot, slung shot, billy, sandclub, sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous knife or knife as defined in chapter 5 of the laws of 1952 (C. 2A:151-62), razor, stiletto, cestus, or similar band studded with metal for fitting on the knuckles, loose wool imbedded with metal filings, razor blades imbedded in wood slivers, handcuffs, iron claws, grenade, bomb or other explosive”.

Amend page 4, section 5, lines 4-5, delete “of this” and “chapter”.

Amend page 4, section 5, line 6, delete “, as defined in section 2A:151-1 or 2A:151-13 of this chapter,”.

Amend page 4, section 5, line 8, after the word “same,” insert “enumerated in section 2A:151-5”.

Amend page 4, section 5, line 9, delete “a”, and insert in lieu thereof “said”; delete “of violence”, and insert in lieu thereof “with said firearm or dangerous instrument”.

Amend page 4, section 6, line 3, delete "high".

Amend page 4, section 7, line 1, delete this section in its entirety and insert in lieu thereof the following new section:

"7. Section 2A:151-8 of the New Jersey Statutes is amended to read as follows:

2A:151-8. Any person, having been convicted in this State or elsewhere of any crime enumerated in section 2A:151-5 [of this Title, when], *whether or not* armed with or having in his possession any [of the] firearm[s] or *dangerous* instrument[s] enumerated in [that] section 2A:151-5, or any person who has ever been committed for a mental disorder to any hospital, mental institution or sanitarium unless he possesses a certificate of a medical doctor or psychiatrist licensed in New Jersey or other satisfactory proof that he is no longer suffering from a mental disorder which interferes with or handicaps him in the handling of a firearm, or any person who has been convicted for the unlawful use, possession or sale of a narcotic or nonnarcotic drug or who is registered as a narcotic drug offender under chapter 230 of the laws of 1952, who purchases, owns, possesses or controls any [of the said] firearm[s] or any of the said *dangerous* instruments, is guilty of a misdemeanor.

Whenever any person shall have been convicted in another State, territory, commonwealth or other jurisdiction of the United States, or of any country in the world, in a court of competent jurisdiction, of a crime which in said State, jurisdiction or country shall be equal to or comparable or the same as one of the crimes designated in 2A:151-5, then that person shall be subject to the provisions of this section."

Amend page 5, section 8, lines 5-6, delete "or dangerous instruments".

Amend page 5, section 8, lines 7-16, delete in their entirety.

Amend page 5, section 8, line 17, delete "2A:151-13 of this chapter or any dangerous instrument" and insert in lieu thereof: "does not possess and exhibit to the seller a permit to purchase in the case of a pistol or revolver or a firearms purchaser identification card in the case of a rifle or shotgun".

Amend page 6, section 8, line 26, delete "of this chapter".

Amend page 6, section 9, line 4, after the word "firearm[s]", insert ", grenade, bomb".

Amend page 6, section 9, line 5, delete "dangerous", and insert in lieu thereof "other explosives".

Amend page 6, section 9, line 7, delete "except to the extent it is".

Amend page 6, section 9, lines 8-13, delete in their entirety.

Amend page 6, section 9, line 14, delete "his possession thereof by his parent or legal guardian,".

Amend page 6, section 9, lines 14-15, after the word "misdemeanor" insert "; provided however that a person may lend a firearm to a minor who may borrow same for the purpose of carrying, firing or using said firearm under section 2A:151-11, and provided further said minor furnishes the owner with written consent to his use thereof by his parent or legal guardian".

Amend page 6, section 10, line 1, delete this section in its entirety and insert in lieu thereof the following new section:

"10. Section 2A:151-11 of the New Jersey Statutes is amended to read as follows:

2A:151-11. Any person under the age of 18 years who purchases, barter, borrows, acquires or exchanges any [gun, pistol, toy pistol, or other] firearm, grenade, bomb or other explosive, [or any instrument or weapon from which any loaded or blank cartridges may be fired;] *except a firearm as provided in section 2A:151-33, is guilty of a misdemeanor or an act of juvenile delinquency as may be provided otherwise in the statutes; except that any such person may carry, fire or use any firearm [or any person under the age of 16 years who carries, fires or uses any such instrument or weapon except] in the actual presence or under the direct supervision of his father, mother, guardian or some other [responsible adult] person who is himself a holder of a permit to carry a pistol or revolver or a firearms purchaser identification card, or for the purpose of military drill under the auspices of a legally recognized military organization and under competent supervision, or for the purpose of competition or target practice in and upon a firing range approved by the governing body or the*

chief of police of the municipality in which such range is located *or the National Rifle Association and which is under competent supervision at the time of such competition or target practice, [is guilty of a misdemeanor] and except further that a minor under the age of 18 years who has successfully completed a hunter's safety course taught by a qualified instructor or conservation officer and carries in his possession a certificate indicating the successful completion of such a course and has a valid hunting license in his own name, may carry and use a rifle or shotgun as otherwise provided in this chapter, for the purpose of hunting during the regularly designated hunting season."*

Amend page 7, section 11, line 1, delete this section in its entirety and insert in lieu thereof the following new section:

"11. Section 2A:151-12 of the New Jersey Statutes is amended to read as follows:

2A:151-12. *a. Any person who manufactures or causes to be manufactured, or sells or keeps for sale, or offers, gives or disposes of any dangerous instrument [or weapon] of the kinds usually known as a [blackjack,] sling shot, slung shot, [billy,] sandclub, sandbag, bludgeon, metal knuckles, dagger, dirk, [dangerous] knife as defined in chapter 5 of the laws of 1952 (C. 2A:151-62), stiletto, [or] grenade, bomb, or other explosive, cestus, or similar band studded with metal for fitting on the knuckles, loose wool imbedded with metal filings, razor blades imbedded in wood slivers, to any person, except in accordance with Federal or State law is guilty of a misdemeanor.*

b. Any person who manufactures or causes to be manufactured, or sells or keeps for sale, or offers, gives or disposes of any dangerous instrument of the kind usually known as blackjack, billy, handcuffs or iron claws, except to any law enforcement officer as enumerated in section 2A:151-43 and provided they are acting within their official capacity and in the performance of their duty, is guilty of a misdemeanor."

Amend page 7, section 12, line 1, delete this section in its entirety and insert in lieu thereof the following new section:

"12. Section 2A:151-13 of the New Jersey Statutes is repealed."

Amend page 8, section 13, lines 6-7, delete "engaged in the retail business of selling, leasing or otherwise transferring".

Amend page 8, section 13, line 7, delete "firearms,".

Amend page 8, section 15, line 4, delete "and" and insert in lieu thereof "or".

Amend page 9, section 15, line 7, after the word "ornaments", insert "or for their historical significance or value".

Amend page 9, section 16, line 5, after "firearm[.]" delete "or"; delete "dangerous instrument of any kind,".

Amend page 9, section 16, lines 6-7, delete "grenade, bomb or other high explosive".

Amend page 9, section 16, line 8, delete "has", and insert in lieu thereof "shall".

Amend page 9, section 16, line 11, after the word "\$50.00", insert "and may be renewed annually upon payment of a fee of \$25.00".

Amend page 9, section 16, lines 16-17, delete "the"; delete "or instruments herein enumerated".

Amend page 9, section 17, line 4, delete "or instrument".

Amend page 9, section 17, line 5, delete "of this chapter".

Amend page 9, section 17, line 6, delete "or instrument".

Amend page 10, section 18, line 4, delete "or dangerous instrument".

Amend page 10, section 18, line 14, delete "Superintendent of State Police", and insert in lieu thereof "superintendent".

Amend page 19, section 18, line 17, after the word "municipality" delete ".", and insert in lieu thereof ",".

Amend page 10, section 18, lines 18-19, after the word "forfeiture:]", insert "provided that the application shall be accompanied by a fee of \$10.00 payable to the superintendent and may be renewed annually upon payment of a fee of \$5.00.".

Amend page 11, section 18, line 35, delete "pistol or revolver", and insert in lieu thereof "firearm".

Amend page 11, section 18, line 41, delete "of this chapter".

Amend page 12, section 18, line 59, delete "members", and insert in lieu thereof "police officers".

Amend page 12, section 18, line 60, after the word "located" insert ", county prosecutors and members of their staffs authorized by them,".

Amend page 14, section 25, line 15, delete "of this chapter".

Amend page 14, section 25, line 18, delete "of this chapter", and insert in lieu thereof ", provided that a person who is not a dealer may file the certification with the chief of police of the municipality in which he resides or with the superintendent".

Amend page 14, section 25, line 18, after line 18 insert the following new paragraph:

"C. Notwithstanding any other provision of this section concerning the transfer, receipt or acquisition of a firearm, a permit to purchase or a firearms purchaser identification card shall not be required for the passing of a firearm upon the death of an owner thereof to his heir or legatee whether the same be by testamentary bequest or by the laws of intestacy except that the person who shall so receive or acquire said firearm shall be subject to all other provisions of this chapter; provided further that if the heir or legatee of such firearm does not qualify to possess or carry same under this act, the firearm may be possessed by him for the purpose of sale for a period not exceeding 180 days, or for such further limited period as may be approved by the chief law enforcement officer of the municipality in which the heir or legatee resides or the superintendent."

Amend pages 14 and 15, section 26, lines 7-24, delete in their entirety and insert in lieu thereof: "card, except as hereinafter set forth:

a. No pistol or revolver purchase permit or firearms purchaser identification card shall be issued to any person who has ever been convicted of any crime, to any person addicted to narcotics, or who is a habitual user of goofballs or pep pills, to any person who is confined for a mental disorder to a hospital, mental institution or sanitarium, or to any person who is presently a habitual drunkard; or

b. To any person who suffers from a physical defect or sickness which would make it unsafe for him to handle firearms; to any person who has ever been confined for a mental disorder, or to any alcoholic, unless any of the foregoing persons produce a certificate of a medical doctor or psychiatrist licensed in New Jersey, or other satisfactory proof, that he is no longer suffering from that particular disability in such a manner that would interfere with or handicap him in the handling of firearms; or

c. To any person under the age of 18 years; or

d. To any person where the issuance would not be in the interest of the public health, safety or welfare.”.

Amend page 15, section 27, line 3, after “police”, insert “of an organized full-time police department”.

Amend page 15, section 27, line 5, delete in its entirety.

Amend page 15, section 27, line 6, delete “resident”, and insert in lieu thereof “in all other cases”.

Amend page 15, section 27, line 7, delete “of this Title”.

Amend page 15, section 27, line 14, delete “Mercer County Court”, and insert in lieu thereof “County Court of the county in which his application was filed”.

Amend page 16, section 28, line 7, delete “of”, and insert in lieu thereof “if”.

Amend page 16, section 28, line 9, delete “or drug addict”, and insert in lieu thereof “, habitual drunkard, addicted to narcotic drugs or is a habitual user of goofballs or pep pills”.

Amend page 16, section 28, lines 18-19, delete “listed as subversive by the Attorney General of the United States”, and insert in lieu thereof “which advocates or approves the commission of acts of force and violence either to overthrow the Government of the United States or of this State, or which seeks to deny others their rights under the Constitutions of either the United States or the State of New Jersey”.

Amend page 17, section 28, line 37, after the word “again”, insert “; however, the chief police officer or the superintendent shall proceed to investigate

the application to determine whether or not the applicant has become subject to any of the disabilities set forth in this chapter”.

Amend page 17, section 29, line 8, delete “7”, and insert in lieu thereof “10”.

Amend page 17, section 29, line 12, delete “60”, and insert in lieu thereof “90”.

Amend page 17, section 29, line 13, delete “60”, and insert in lieu thereof “90”.

Amend page 17, section 29, line 16, delete “of this chapter”; delete “will automatically”, and insert in lieu thereof “shall”.

Amend page 17, section 29, line 20, after the word “misdemeanor.”, insert “Any firearms purchaser identification card may be revoked by the judge of the County Court of the county wherein the card was issued, after hearing upon notice, and upon a finding that the holder thereof no longer qualifies for the issuance of such permit. The county prosecutor of any county, the chief police officer of any municipality or any citizen may apply to such judge at any time for the revocation of such card.”.

Amend page 18, section 31, line 9, delete “of this chapter”.

Amend page 19, section 32, line 8, after the word “pistol” delete “,”, and insert in lieu thereof “or”; delete “or other firearm”.

Amend page 19, section 32, lines 10-15, delete in their entirety and insert in lieu thereof the following new paragraphs:

“b. A rifle or shotgun without first having obtained a firearms purchaser identification card in accordance with the provisions of this chapter; or

c. Any dangerous instrument of the kinds known as a blackjack, slung shot, billy, sandclub, sandbag, bludgeon, metal knuckles, cestus or similar leather band studded with metal for fitting on the knuckles, loose wool impregnated with metal filings, or razor blades imbedded in wood slivers, dagger, dirk, dangerous knife or knife as defined in chapter 5 of the laws of 1952 (C. 2A :151-62), stiletto, grenade, bomb or other explosive, other than fixed ammunition, except as such person may be licensed to carry, hold or possess explosives under

the provisions of Title 21 of the Revised Statutes and amendments thereto, is guilty of a misdemeanor.”.

Amend page 19, section 33, line 1, delete this section in its entirety and insert in lieu thereof the following new section:

“33. Section 2A:151-42 of the New Jersey Statutes is amended to read as follows:

2A:151-42. Nothing contained in section 2A:151-41 [of this Title] shall be construed:

a. to prevent a person from keeping or carrying about his place of business, dwelling house, premises, or on land possessed by him, any [pistol, revolver,] firearm [or other weapon,] or from carrying the same from any place of purchase to his dwelling house or place of business, or from his dwelling house or place of business to or from any place where repairing is done, to have the same repaired[.]; nor

b. to prevent any person from carrying a [gun, rifle] *firearm* or knife in the woods or fields or upon the waters of this State for the purpose of hunting [or], target practice, or *fishing*; nor

c. *to prevent any person from transporting any firearm while traveling directly to or from any place for the purpose of hunting provided such person has in his possession a valid hunting license or while traveling directly to or from any target range or other authorized place for the purpose of practice, match, target, trap or skeet shooting or shooting exhibitions, provided in all cases that during the course of traveling for the purposes set forth in this section, the firearm is unloaded and contained in a closed and fastened case, gun box, securely tied package, or locked in the trunk of the automobile in which the person is transporting the firearm, and provided further that the course of travel to or from said areas may include such deviations as may be reasonable or necessary under the circumstances; and provided further that nothing contained in this chapter shall be considered as an exemption or exception from the requirements or provisions of Title 23 of the Revised Statutes and amendments thereto or any rules and regulations promulgated thereunder.”.*

Amend page 20, section 34, line 7, delete "deputy sheriff,".

Amend page 20, section 34, line 16, after the word "duties", insert "and when specifically authorized by the governing body to carry firearms".

Amend page 20, section 34, lines 21 and 22, delete "fish and game commissioners", and insert in lieu thereof "members of the Fish and Game Council"; delete "the regular fish and game wardens", and insert in lieu thereof "conservation officers".

Amend page 21, section 34, line 41, delete "of this chapter".

Amend page 21, section 34, lines 62 and 63, after the word "municipality", insert "or the county prosecutor of the county".

Amend page 22, section 35, lines 3 and 4, delete "revolver, pistol, or other firearm", and insert in lieu thereof "pistol or revolver".

Amend page 22, section 35, lines 9 to 21, delete in their entirety and insert in lieu thereof: "who suffers from any disability which would preclude his obtaining a permit to purchase a pistol or revolver as provided in section 2A:151-33 and provided that he produces proof of his".

Amend page 23, section 35, line 55, delete "2A:151-44 of this chapter", and insert in lieu thereof "2A:151-33".

Amend page 23, section 35, line 62, after the word "possess." insert as a new paragraph:

"Failure of the issuing authority to deny the application or issue a permit within 60 days shall be deemed to be approval thereof, unless the applicant waives the time period herein provided or agrees to an extension thereof in writing."

Amend page 24, section 36, line 4, delete "Mercer County Court", and insert in lieu thereof "County Court of the county in which the application is made".

Amend page 24, section 37, line 6, delete "drug addict" and insert in lieu thereof "addicted to drugs or is a habitual user of goofballs or pep pills".

Amend page 24, section 37, lines 15 to 16, delete "listed as subversive by the Attorney General of the United States", and insert in lieu thereof "which ad-

vocates or approves the commission of acts of force and violence either to overthrow the Government of the United States or of this State, or which seeks to deny others their rights under the Constitutions of either the United States or the State of New Jersey”.

Amend page 25, section 37, lines 21 and 22, delete “citizens”, and insert in lieu thereof “persons”.

Amend page 25, section 38, line 10, after the word “obtained”, insert “, provided that the permit shall be void at such time as the holder thereof becomes subject to any of the disabilities set forth in section 2A:151-44, in which event the holder thereof shall return the permit to the superintendent who shall then advise the licensing authority. Failure of the holder to return the permit to the superintendent within the said 5 days shall be a misdemeanor.”.

Amend page 25, section 38, line 18, after the word “issued”, insert “, after hearing upon notice, and upon a finding that the holder thereof no longer qualifies for the issuance of such permit”.

Amend page 26, section 38, line 20, delete “a”, and insert in lieu thereof “the”; after the word “any” insert “such”; delete “issued, and the judge”.

Amend page 26, section 38, lines 21 to 23, delete in their entirety.

Amend page 26, section 40, line 4, delete “article”, and insert in lieu thereof “chapter”.

Amend page 27, section 42, line 8, delete “article” and insert in lieu thereof “chapter”.

Amend page 27, section 43, line 1, delete this section in its entirety and insert in lieu thereof the following new section:

“43. If any provision of this act, or any application of any provision, is held invalid, the invalidity shall not affect other applications of the provision, or other provisions of the act, which reasonably can be given effect despite the invalidity.”.

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185 W. State Street
Trenton, N. J.

STATEMENT BY GOVERNOR RICHARD J. HUGHES
ON SIGNING OF GUN CONTROL LEGISLATION

When a bill has come before the State Legislature and has been passed after public hearings and extensive public debate, it is our custom to say as it arrives on the Governor's desk that the people's elected representatives have done their duty. Today, the people's representatives have gone beyond their duty. They have approved for signature a weapons control law which will write for them a respected place in the legislative traditions of New Jersey.

For years we have seen the incidence of violence and violent crimes rising in New Jersey and the nation. Murder and assault with deadly weapons has increased. Each day's newspaper brings us another alarming or horrifying story of death by firearms, whether by conscious intent or accident. A recent survey showed that one of the principal issues of concern to the New Jersey public was crime and violence in the streets.

A good deal of that concern was engendered by the knowledge that, heretofore, almost anyone - a known criminal, a drug addict, a mentally unbalanced individual - could readily purchase many types of firearms or other dangerous weapons.

The bill signed into law this morning no longer permits such a casual official attitude toward the purchase and transfer of dangerous weapons. I am not misreading public sentiment when I say that this is a law which the people want.

This is not a perfect weapons control law. I doubt if there is such an entity. But, we can say with a degree of certainty that some law enforcement officials and defenseless citizens who have died in recent years might be alive today if legislation such as this had existed. Laws are both regulatory and preventive. This law will not prevent weapons from being shipped into this State from other states - that will depend upon Federal action - but it will make it harder for those who shouldn't have guns to purchase them freely and openly. I must echo the forceful words of the Assistant Minority Leader of the Assembly who said during the recent debate that if this law prevents one needless death, then it is a good law and we ought to approve it.

This measure strengthens the hand of law enforcement in combatting violence. The faith of the citizen in his government's ability to protect his home and property is made stronger.

At the same time, New Jersey will still be a sportsman's State. The hunter is still welcome. Our traditions are still safeguarded.

(MORE)

Later today I shall confer with the Attorney General of the United States, the Honorable Nicholas deB Katzenbach. I will present him with a signed copy of this Act and I will assure him that New Jersey stands behind him in every effort to regulate interstate movement and sale of weapons. New Jersey has now taken another firm step forward in the strengthening of its law enforcement system.

I am particularly proud of the legislators who stood up to the vehement and often abusive opposition to this measure. The people will remember their courage, as will I, as will our children who follow us, for they will live a little more peacefully in the Garden State, a little more securely as a result of this decision.

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2A:151-41 I
L. 1968, c307

February 7, 1969

LEGISLATIVE HISTORY OF R.S. 2A:151-41
(Carrying concealed weapons)

- L. 1924, Chapter 137 - A255
January 22 - Introduced by Hirshfield.
February 12 - Amended on 3rd reading.
February 12 - Passed in Assembly.
March 7 - Passed in Senate.
March 12 - Approved, Chapter 137.
Statement: copy of original bill with statement attached.
Amended; copy of Assembly Minutes with amendments attached.

copy of original bill with statement attached

- L. 1925, Chapter 64 - S59
January 29 - Introduced by Case.
February 3 - Passed in Senate.
March 2 - Passed in Assembly.
March 12 - Approved, Chapter 64.
Not amended during passage.
State reads as follows:

All that this act does is to make Chapter 137 of the laws of 1924 conform to the amendments that were incorporated into the act by the Legislature, prior to the passage thereof, but, through mistake, were not published as a part thereof.

*L. 1925 - Chapter 207 - S6
Amended (Bill + amendments enclosed)
No statement*

- L. 1926, Chapter 270 - A403
February 16 - Introduced by Mr. Wise.
March 8 - Passed in Assembly.
March 25 - Amended.
March 25 - Passed in Senate.
March 25 - Passed with Senate Amendment in Assembly.
March 29 - Approved, Chapter 270.
Statement: copy of original bill with amendment attached.
Amended: copy of Senate journal with amendments attached.

- L. 1934, Chapter 74 - A394
April 9 - Introduced by Fort.
April 9 - Passed in Assembly.
April 10 - Passed in Senate.
April 12 - Approved, Chapter 74.
Not amended during passage.
Statement reads as follows:

The purpose of this act is to authorize the Commissioner of Alcoholic Beverage Control and

his assistants to carry firearms, inasmuch as they are officers with the powers of arrest and it is desired that the statute which permits police officers to be armed be made uniform with the extension of like powers to the Commissioner.

1937 Revision - All three drafts give wording exactly the same as old Title 2:176-41. But new title changed wording:

Except as hereinafter provided, [a] any person who [shall carry] carries in any automobile, carriage, motorcycle or other vehicle, or concealed on or about his clothes or person, or otherwise concealed in his possession:

(Two following sections unchanged).

L. 1960, Chapter 26 - A183

January 18 - Introduced by Mrs. Hughes.
March 28 - Passed in Assembly.
April 25 - Passed in Senate.
May 12 - Approved, Chapter 26.
Not amended during passage.
No statement.

L. 1966, Chapter 60 - A165

See legislative history of 2A:151-1.

L. 1968, Chapter 307 - S848 2A:151-41

June 13 - Introduced by Giuliano & 5 others.
June 20 - Passed in Senate.
June 24 - Passed in Assembly.
September 26 - Approved, Chapter 307.
Not amended during passage.
No statement.

See State v. RONALD JOHNSON, — N. J. SUPER. —,

JH/PC

A-415-72, (Oct. 26, 1973)

10/26/73

- 3 -

L.1966, Chapter 60 § 7 A165

Jan. 24 - Introduced by Brady, McLeon and Policastro.
 May 16 - Passed in Assembly, amended.
 May 31 - Passed in Senate.
 June 3 - Approved.

Statement to A165 enclosed.

Governor's statement on signing enclosed.
 Original and amended versions of A165, § 7 enclosed.

974.90 A public hearing on A165 was held by the Assembly
 W362 Committee on State Government on March 2, 1966.
 1966

J344.05 Citizens Committee for Firearms Legislation (NJ)
 C581 Report on study for revisions of 2A:151
 weapons and explosives (12/10/65) (revised
 2/8/66).

See extensive collection of newspaper clippings in NJ vertical
 File -- NJ Firearms --1966. A few of these clippings have been
 photocopied and are enclosed.

Amended by:

L.1973, C.174, § 1 S653

Feb. 14, 1972 - Introduced by Rinaldo, Epstein, Dodd, Brown,
 Bate, Italiano.
 March 20, 1972 - Passed in Senate.
 March 26, 1973 - Passed in Assembly.
 June 8, 1973 - Approved, Chapter 174, 1973.

No sponsor's statement of purpose.

Not amended during passage.

Senate Law, Public Safety and Defense Committee issued statement
 to S653 (copy enclosed).

deleted "...narcotic or nonnarcotic drug or who is registered
 as a narcotic drug offender under P.L. 1952, C.230..."

and added "...controlled dangerous substances as defined in
 article 2 of P.L. 1970, C.226 (C.24:21 - et seq.)

No hearings or reports discovered.

See NJ Vertical File for newspaper clippings.
 NJ Firearms--1967 to 1973.

LEGISLATIVE HISTORY OF R.S.2A:151-44
(Denial of application; hearings, appeals)

L.1924 C.137. See legislative history of R.S.2A:151-41
(enclosed)

Amended by:

L.1925 C.64. See legislative history of R.S.2A:151-41
(enclosed)

L.1932 - C.61 - S67
February 1 - Introduced by Stewart.
March 21 - Passed Senate.
April 4 - Passed in Assembly.
April 11, - Approved, Chapter 61.
Not amended.
Statement (copy enclosed).

L.1933 - C.329 - Committee Substitute S397 - A524.
June 5 - Introduced by Fort.
June 12 - Passed in Assembly.
June 21 - Joint committee substitute with S397,
passed in Senate.
June 21 - Passed in Assembly.
June 26 - Approved, Chapter 329.
Copies of both of these bills (A524 and S397) and
the Committee Substitute are enclosed.

1937. Revision - The wording of this section did
not change in any of the three drafts.
A copy is enclosed of this section from the
first draft. There were no revisors notes.

L.1939 - C.321 - A351
February 27 - Introduced by Huntington.
May 15 - Passed in Assembly.
August 3 - Passed in Senate.
August 8 - Approved, Chapter 321.
Not amended during passage.
Statement (copy enclosed).

1951. Revision of Title 2 to 2A.
No revisors notes; no suggested changes
copy of draft which passed as introduced
is enclosed.

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L.1966 - C.60 -See legislative history of R.S.2A:151-1
(enclosed).

Hearings and reports:

J344.05
C581

~~NJ~~
~~FB 79~~
~~P5~~
~~C581~~

New Jersey Citizens Committee for
Firearms Legislation.

Report on study for revisions of
2A:151. Weapons and explosives.
Belle Meade, New Jersey 1966.

MG/EH
Enclosure

SENATE, No. 67

(P. L. 1924, p. 306)

(P. L. 1925, p. 186)

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 1, 1932

By Mr. STEWART

Referred to Committee on Judiciary

AN ACT to amend an act entitled "A further supplement to an act entitled 'An act for the punishment of crimes' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," which supplementary act was approved March eleventh, one thousand nine hundred and twenty-four, approved March twelfth, one thousand nine hundred and twenty-five.

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

1 1. Section two of the act of which this act is amendatory be and the same is
2 hereby amended so that the same shall read as follows:

3 2. Any person desirous of obtaining a permit to carry a revolver, pistol or other
4 firearm, pursuant to the provisions of this act, shall in the first instance make ap-
5 plication therefor either to the chief police official of the municipality in which the
6 applicant resides or to the sheriff of the county wherein the applicant resides. If such
7 application is approved by the chief police official or by the sheriff, as the case may be,
8 the applicant shall then present such application, so approved as aforesaid, [to a Common
9 Pleas judge of the county or to the justice of the Supreme Court or to the judge
10 holding the circuit for the county] to the justice of the Supreme Court presiding in
11 the county, or to a Common Pleas judge of the county in which the applicant is
12 resident, who, after investigation, and being satisfied of the sufficiency of the applica-
13 tion, and of the need of such person carrying concealed upon his person, a revolver,
14 pistol or other firearm, shall issue a permit therefore, which permit so issued shall be

15 subject to revocation at any time thereafter by the justice of the Supreme Court
16 presiding as aforesaid, or by the judge of the Court of Common Pleas. A permit so
17 issued pursuant to the provisions of this act is sufficient authority for the holder
18 thereof to carry concealed upon his person a revolver, pistol or other firearm in all
19 parts of the State of New Jersey. [All permits issued pursuant to the provisions
20 of this act shall expire on the thirty-first day of December subsequent to the date
21 of issue, and may thereafter be renewed for a period of five years.] All permits
22 issued pursuant to the provisions of this act shall expire on the thirty-first day of
23 December subsequent to the date of issue, and may thereafter be annually renewed in
24 the same manner and subject to the same provisions by which the original permit
25 was obtained. An applicant for a permit, pursuant to the provisions of this act,
26 shall at the time of the granting of the same pay to the clerk of the county in
27 which he resides, and in which the application is made, a license fee of one dollar.
28 The prosecutor of the pleas of any county, the chief police official of any mu-
29 nicipality and/or any citizen may apply to the justice of the Supreme Court, or a
30 judge of the Court of Common Pleas of the county wherein such permit was issued,
31 at any time for a revocation of a permit heretofore issued, and the justice of the
32 Supreme Court, presiding as aforesaid, or a judge of the Court of Common Pleas,
33 are authorized and empowered, after hearing upon notice, to revoke any permit, so
34 as aforesaid issued. No person whose permit has been revoked, pursuant to the pro-
35 visions hereof, shall thereafter be issued any permit under the provisions of this act.
36 Any violation of this act shall be deemed a high misdemeanor and punished
37 accordingly.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this act is to strengthen the supplement to the Crimes Act pursuant to which revolver permits are issued, by reducing the period for which a permit is issued from five years to one year; fixing an annual license fee; providing for the revocation of permits so issued, and for the punishment of offenders against the act.

SENATE, No. 397

(Chap. 61, P. L. 1932)

STATE OF NEW JERSEY

INTRODUCED MAY 22, 1933

By Mr. DURAND

Referred to Committee on Miscellaneous Business

AN ACT to amend an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,' which supplementary act was approved March eleventh, one thousand nine hundred and twenty-four," approved March twelfth, one thousand nine hundred and twenty-five.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section two of the act of which this act is amendatory be and the
2 same is hereby amended so that the same shall read as follows:

3 2. Any person desirous of obtaining a permit to carry a revolver, pistol
4 or other firearm, pursuant to the provisions of this act, shall in the first in-
5 stance make application therefor either to the chief police official of the mu-
6 nicipality in which the applicant resides or to the sheriff of the county where-
7 in the applicant resides. If such application is approved by the chief police
8 official or by the sheriff, as the case may be, the applicant shall then pre-
9 sent such application, so approved as aforesaid, to the [justice of the Su-
10 preme Court presiding in the county, or to a common pleas judge of the
11 county in which the applicant is resident] superintendent of the New Jersey
12 State Police, who, after investigation which shall include obtaining the fin-
13 gerprints of the person making said application, and being satisfied of the

14 sufficiency of the application, and of the need of such person carrying con-
15 cealed upon his person, a revolver, pistol or other firearm, shall issue a permit
16 therefor, which permit so issued shall be subject to revocation at any time
17 thereafter by the justice of the Supreme Court presiding [as aforesaid] in
18 the county in which the applicant is resident, or by the judge of the court
19 of common pleas of the county in which the applicant is resident, or by the
20 superintendent of the New Jersey State Police. A permit so issued pursu-
21 ant to the provisions of this act is sufficient authority for the holder thereof
22 to carry concealed upon his person a revolver, pistol or other firearm in all
23 parts of the State of New Jersey. All permits issued pursuant to the provi-
24 sions of this act shall expire on the thirty-first day of December subsequent
25 to the date of issue, and may thereafter be annually renewed [in the same
26 manner and subject to the same provisions by which the original permit was
27 obtained] by direct application to the superintendent of the New Jersey State
28 Police. An applicant for a permit, pursuant to the provisions of this act,
29 shall at the time of granting of the same pay to the [clerk of the county in
30 which he resides,] New Jersey State Police for the State of New Jersey
31 [and in which the application is made,] a license fee of one dollar. The
32 prosecutor of the pleas of any county, the chief police official of any munici-
33 pality and/or any citizen may apply to the justice of the Supreme Court, or
34 a judge of the court of common pleas of the county wherein such permit
35 [was issued] originated, or to the superintendent of the New Jersey State
36 Police, at any time for a revocation of a permit heretofore issued, and the jus-
37 tice of the Supreme Court, presiding as aforesaid, of a judge of the court
37½ of common pleas, or the superintendent of the New Jersey State Police, are
38 authorized and empowered, after hearing upon notice, to revoke any permit,
39 so as aforesaid issued. No person whose permit has been revoked pursuant
40 to the provisions hereof, shall thereafter be issued any permit under the pro-
41 visions of this act. Any violation of this act shall be deemed a high misde-
42 meanor and punished accordingly.

1 2. This act shall take effect immediately.

STATEMENT

This amendment is proposed to prevent criminals and persons known to have no legitimate use for concealed firearms from obtaining a permit as authorized under the present act.

ASSEMBLY, No. 524

(P. L. 1932, Chap. 61, p. 92)

See
Senate 397

STATE OF NEW JERSEY

INTRODUCED JUNE 5, 1933

By Mr. FORT

Referred to Committee on Economy and Reorganization

AN ACT to amend an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,' which supplementary act was approved March eleventh, one thousand nine hundred and twenty-four," approved March twelfth, one thousand nine hundred and twenty-five, approved April eleventh, one thousand nine hundred and thirty-two.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section two of the act of which this act is amendatory be and the
2 same is hereby amended to read as follows:

3 2. Any person desirous of obtaining a permit to carry a revolver, pistol
4 or other firearm, pursuant to the provisions of this act, shall in the first
5 instance make application therefor either to the chief police official of the
6 municipality in which the applicant resides or to the sheriff of the county
7 wherein the applicant resides. If such application is approved by the chief
8 police official or by the sheriff, as the case may be, the applicant shall then
9 present such application, so approved as aforesaid, to the justice of the
10 Supreme Court presiding in the county, or to a common pleas judge of the
11 county in which the applicant is resident, who, after investigation, which
12 shall include the taking of the finger prints of the applicant and the con-

13 parison of the same with any and all records of finger prints in the munici-
14 pality and county in which the applicant is a resident, and also the records
15 of the supervisor of the State Bureau of Identification of this State and the
16 National Bureau in the Department of Justice in Washington, D. C., and
17 being satisfied of the sufficiency of the application, and of the need of such
18 person carrying concealed upon his person, a revolver, pistol or other fire-
19 arm, shall issue a permit therefor, which permit so issued shall be subject
20 to revocation at any time thereafter by the Justice of the Supreme Court
21 presiding as aforesaid, or by the judge of the court of common pleas. A
22 permit so issued pursuant to the provisions of this act is sufficient authority
23 for the holder thereof to carry concealed upon his person a revolver, pistol
24 or other firearm in all parts of the State of New Jersey. All permits issued
25 pursuant to the provisions of this act shall expire on the thirty-first day of
26 December subsequent to the date of issue, and may thereafter be annually
27 renewed in the same manner and subject to the same provisions by which the
28 original permit was obtained. An applicant for a permit, pursuant to the
29 provisions of this act, shall at the time of the granting of the same pay to
30 the clerk of the county in which he resides, and in which the application is
31 made, a license fee of one dollar. The prosecutor of the pleas of any county,
32 the chief police official of any municipality and/or any citizen may apply to
33 the justice of the Supreme Court, or a judge of the court of common pleas
34 of the county wherein such permit was issued, at any time for a revocation
35 of a permit heretofore issued, and the justice of the Supreme Court, presid-
36 ing as aforesaid, or a judge of the court of common pleas are authorized and
37 empowered, after hearing upon notice, to revoke any permit, so as aforesaid
38 issued. No person whose permit has been revoked pursuant to the pro-
39 visions hereof, shall thereafter be issued any permit under the provisions of
40 this act. Any violation of this act shall be deemed a high misdemeanor and
41 punished accordingly.

1 2. All acts or parts of acts inconsistent with the provisions of this act
2 be and the same are hereby repealed and this act shall take effect imme-
3 diately.

STATEMENT

The purpose of this act is to require further investigation of possible criminal records of applicants for permits to carry concealed weapons in this State.

[OFFICIAL COPY REPRINT]

SENATE COMMITTEE SUBSTITUTE FOR

SENATE No. 397 & ASSEMBLY No. 524

STATE OF NEW JERSEY

ADOPTED JUNE 21, 1933

AN ACT to amend an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,' which supplementary act was approved March eleventh, one thousand nine hundred and twenty-four," approved March twelfth, one thousand nine hundred and twenty-five, approved April eleventh, one thousand nine hundred and thirty-two.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section two of the act of which this act is amendatory be and the
2 same is hereby amended to read as follows:

3 2. Any person desirous of obtaining a permit to carry a revolver, pistol
4 or other firearm, pursuant to the provisions of this act, shall in the first in-
5 stance make application therefor either to the chief police official of the mu-
6 nicipality in which the applicant resides or to the sheriff of the county where-
7 in the applicant resides. If such application is approved by the chief police
8 official or by the sheriff, as the case may be, the applicant shall then pre-
9 sent such application, so approved as aforesaid, to the justice of the Supreme
10 Court presiding in the county, or to a common pleas judge of the county in
11 which the applicant is resident, who, after investigation, which shall include
12 the name and address of the manufacturer of such revolver, pistol or other
13 firearm, also any and all of the manufacturer's identification numbers, let-
14 ters and marks and a complete description of the kind and type of revolver,

15 pistol or other firearm which said applicant intends to carry pursuant to the
16 provision of this act; *provided, however*, that one permit shall be sufficient
17 for such revolvers, pistols or other firearms of the applicant, and also the tak-
18 ing of the finger prints of the applicant and the comparison of the same with
19 any and all records of finger prints in the municipality and county in which
20 the applicant is a resident, and also the records of the supervisor of the
21 State Bureau of Identification of this State and the National Bureau in the
22 Department of Justice in Washington, D. C., and being satisfied of the suf-
23 ficiency of the application, and of the need of such person carrying concealed
24 upon his person, a revolver, pistol or other firearm, shall issue a permit
25 therefor, which permit so issued shall be subject to revocation at any time
26 thereafter by the justice of the Supreme Court presiding as aforesaid, or by
27 the judge of the court of common pleas. A permit so issued pursuant to the
28 provisions of this act is sufficient authority for the holder thereof to carry
29 concealed upon his person a revolver, pistol or other firearm in all parts of
30 the State of New Jersey. All permits issued pursuant to the provisions of
31 this act shall expire on the thirty-first day of December subsequent to the date
32 of issue, and may thereafter be annually renewed in the same manner and
33 subject to the same provisions by which the original permit was obtained.
34 An applicant for a permit, pursuant to the provisions of this act, shall at
35 the time of the granting of the same pay to the clerk of the county in which
36 he resides, and in which the application is made, a license fee of one dollar.
37 The prosecutor of the pleas of any county, the chief police official of any mu-
38 nicipality and/or any citizen may apply to the justice of the Supreme Court,
39 or a judge of the court of common pleas of the county wherein such permit
40 was issued, at any time for a revocation of a permit heretofore issued, and
41 the justice of the Supreme Court, presiding as aforesaid, or a judge of the
42 court of common pleas are authorized and empowered, after hearing upon
43 notice, to revoke any permit, so as aforesaid issued. No person whose per-
44 mit has been revoked pursuant to the provisions hereof, shall thereafter be
45 issued any permit under the provisions of this act. Any violation of this act
46 shall be deemed a high misdemeanor and punished accordingly.

1 2. All acts or parts of acts inconsistent with the provisions of this act
2 be and the same are hereby repealed and this act shall take effect imme-
3 diately.

ing or carrying about his place of business, dwelling house, premises, or on land possessed by him, any such revolver, pistol, firearm or other weapon; or from carrying the same from any place of purchase to his dwelling house or place of business, or from his dwelling house or place of business to or from any place where repairing is done, to have the same repaired, nor to prevent any person from carrying a gun, rifle or knife in the woods or fields or upon the waters of the state for the purpose of hunting or target practice.

Sources. L. 1924, c. 137, §1, p. 305 [1924 Suppl. §52-43j], as am. by L. 1925, c. 64, §1, p. 185, L. 1925, c. 207, §1, p. 494, L. 1926, c. 270, §1, p. 453, L. 1927, c. 96, §1, p. 183, L. 1934, c. 74, §1, p. 197, suppl. to L. 1898, c. 235, p. 794. L. 1927, c. 321, §11, p. 747, as am. by L. 1928, c. 212, §1, p. 384, suppl. to L. 1898, c. 235, p. 794.

2:176-43. Carrying concealed weapons; persons excepted from provisions of section 2:176-41. The provisions of section 2:176-41 of this title shall not apply to:

- a. The United States marshal or his deputies;
- b. Members of the army, navy or marine corps of the United States or of the national guard when on duty;
- c. Any sheriff, undersheriff, prosecutor of the pleas, assistant prosecutor or prosecutor's detectives;
- d. The regularly employed members, including detectives, of the police department of any municipality, or any special policemen appointed by the governing body of any municipality;
- e. Any member of the state police, or any motor vehicle inspector or state detective;
- f. Any jailer, constable, railway police, canal or steamboat police, or any other peace officer, when in discharge of his duties;
- g. The fish and game commissioners; or the regular fish and game wardens;
- h. Any prison or jail wardens or their deputies, or any guard or keeper of any penal institution in this state;
- i. Any court attendant engaged in attending the circuit court, court of oyer and terminer, court of common pleas or general court of quarter sessions, or justices of the peace;
- j. Any member of a legally organized detective agency;
- k. Any guard in the employ of any railway express company, banking, or building and loan institution of this state;
- l. Any officer of the society for the prevention of cruelty to animals;
- m. Any duly authorized military organization when under orders, or any member thereof when going to or from places of meeting of their respective organizations, carrying the weapons prescribed for drill, exercise or parade;
- n. Persons having a hunter's license in going to or from places of hunting;
- o. Members of government civilian rifle clubs duly organized in accordance with the rules prescribed by the national board for the promotion of rifle practice, in going to or from their several places of target practice and carrying weapons necessary for such practice;

p. The commissioner, deputy commissioners, inspectors and investigators of the department of alcoholic beverage control; or

q. Public utility corporations in the transportation of explosives.

Sources. L. 1909, c. 17, §1, p. 34 [C. S. p. 1759, §43a], suppl. to L. 1898, c. 235, p. 794. L. 1912, c. 225, §1, p. 364, as am. by L. 1921, c. 108, §1, p. 206, L. 1922, c. 31, §1, p. 60 [1924 Suppl. §52-43b], suppl. to L. 1898, c. 235, p. 794. L. 1922, c. 138, §1, p. 238 [1924 Suppl. §52-43f], suppl. to L. 1898, c. 235, p. 794. L. 1924, c. 137, §1, p. 305 [1924 Suppl. §52-43j], as am. by L. 1925, c. 64, §1, p. 185, L. 1925, c. 207, §1, p. 494, L. 1926, c. 270, §1, p. 453, L. 1927, c. 96, §1, p. 183, L. 1934, c. 74, §1, p. 197, suppl. to L. 1898, c. 235, p. 794. L. 1927, c. 321, §11, p. 747, as am. by L. 1928, c. 212, §1, p. 384, suppl. to L. 1898, c. 235, p. 794.

2:176-44. Permit to carry firearms; application; investigation of fingerprints; fee. Any person desiring to obtain a permit to carry a revolver, pistol or other firearm, shall in the first instance make application therefor either to the chief police official of the municipality in which the applicant resides or to the sheriff of the county wherein the applicant resides.

If such application is approved by the chief police official or by the sheriff, as the case may be, the applicant shall then present the same to the justice of the supreme court presiding in the county, or to a common pleas judge of the county in which the applicant is a resident, who, after investigation, which shall include the name and address of the manufacturer of such revolver, pistol or other firearm, also any and all of the manufacturer's identification numbers, letters and marks and a complete description of the kind and type of revolver, pistol or other firearm which the applicant intends to carry; provided, however, that one permit shall be sufficient for such revolvers, pistols or other firearms of the applicant, and also the taking of the fingerprints of the applicant and the comparison of the same with any and all records of fingerprints in the municipality and county in which the applicant is a resident and also the records of the supervisor of the state bureau of identification of this state and the national bureau in the department of justice in Washington, D. C., and being satisfied of the sufficiency of the application and the need of such person to carry concealed upon his person a revolver, pistol or other firearm, shall issue a permit therefor.

Each applicant for such a permit shall at the time of granting of the same pay to the clerk of the county in which he resides and in which the application is made, a license fee of one dollar.

Source. L. 1924, c. 137, §2, p. 305 [1924 Suppl. §52-43i], as am. by L. 1925, c. 64, §2, p. 186, L. 1932, c. 61, §1, p. 92, L. 1933, c. 329, §1, p. 857, suppl. to L. 1898, c. 235, p. 794.

2:176-45. Permit to carry firearms; authority; expiration and renewal; revocation. A permit issued pursuant to section 2:176-44 of this title shall be sufficient authority for the holder thereof to carry concealed upon his person a revolver, pistol or other firearm in all parts of the state. All permits issued pursuant to said section 2:176-44 shall expire on the thirty-first day of

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 351

(Revised Statutes, section 2:176-44.)

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 27, 1939

By Mr. HUNTINGTON

Referred to Committee on Miscellaneous Business

AN ACT concerning carrying of concealed weapons, and amending section
2:176-44 of the Revised Statutes of New Jersey.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 2:176-44 is hereby amended to read as follows:

2 2:176-44. Any person desiring to obtain a permit to carry a revolver,
3 pistol or other firearm shall in the first instance make application there-
4 for either to the chief police official of the municipality in which the applicant
5 resides or to the sheriff of the county wherein the applicant resides.

6 If such application is approved by the chief police official or by the
7 sheriff, as the case may be, the applicant shall then present the same to
8 the justice of the Supreme Court presiding in the county, or to a common
9 pleas judge of the county in which the applicant is a resident, who, after in-
10 vestigation, which shall include the name and address of the manufacturer
11 of such revolver, pistol or other firearm, also any and all of the manufac-
12 turer's identification numbers, letters and marks and a complete descrip-
13 tion of the kind and type of revolver, pistol or other firearm which the ap-
14 plicant intends to carry; *provided, however,* that one permit shall be
15 sufficient for such revolvers, pistols or other firearms of the applicant, and
16 also the taking of the fingerprints of the applicant and the comparison of

17 the same with any and all records of fingerprints in the municipality and
18 county in which the applicant is a resident and also the records of the super-
19 visor of the State Bureau of Identification of this State and the national
20 bureau in the Department of Justice in Washington, District of Columbia,
21 and being satisfied of the sufficiency of the application and the need of such
22 person to carry concealed upon his person a revolver, pistol or other fire-
23 arm, shall issue a permit therefor.

24 Each applicant for such a permit shall at the time of granting the same
25 pay to the clerk of the county in which he resides and in which the applica-
26 tion is made, a license fee of [~~one dollar~~] three dollars.

1 2. All acts and parts of acts inconsistent herewith are hereby repealed
2 and this act shall take effect immediately.

STATEMENT

The purpose of this bill is to approximate as nearly as possible the cost of
investigational service required in order to adequately inform the judges re-
garding the character and reputation of applicants and the purposes for which
they desire to carry weapons.

Article 1. CARRYING CONCEALED WEAPONS.

2A:176-41. Carrying concealed weapons; penalty; license to carry pistol or revolver. Except as hereinafter provided, a person who shall carry in any automobile, carriage, motor cycle or other vehicle, or concealed on or about his clothes or person, or otherwise concealed in his possession:

a. A pistol, revolver or other firearm without having first obtained a permit to carry the same in accordance with the provisions of this chapter; or

b. Any instrument of the kinds known as a blackjack, slung shot, billy, sandclub, sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous knife or stiletto, bomb, or any high explosive, other than fixed ammunition—

Shall be guilty of a misdemeanor.

Source. R. S. 2:176-41.

2A:176-42. Carrying weapons about one's premises or for purposes of hunting or target practice. Nothing contained in section 2A:176-41 of this title shall be construed to prevent a person from keeping or carrying about his place of business, dwelling house, premises, or on land possessed by him, any such revolver, pistol, firearm or other weapon; or from carrying the same from any place of purchase to his dwelling house or place of business, or from his dwelling house or place of business to or from any place where repairing is done, to have the same repaired, nor to prevent any person from carrying a gun, rifle or knife in the woods or fields or upon the waters of the state for the purpose of hunting or target practice.

Source. R. S. 2:176-42.

2A:176-43. Carrying concealed weapons; persons excepted from provisions of section 2A:176-41. The provisions of section 2A:176-41 of this title shall not apply to:

a. The United States marshal or his deputies;

b. Members of the army, navy or marine corps of the United States or of the national guard when on duty;

c. Any sheriff, undersheriff, deputy sheriff, county prosecutor, assistant prosecutor or prosecutor's detectives;

d. The regularly employed members, including detectives, of the police department of any municipality, or any special policeman appointed by the governing body of any municipality;

e. Any member of the state police, or any motor vehicle inspector or state detective;

f. Any jailer, constable, railway police, canal or steamboat police, or any other peace officer, when in discharge of his duties;

g. The fish and game commissioners, or the regular fish and game wardens;

h. Any prison or jail wardens or their deputies, or any guard or keeper of any penal institution in this state;

i. Any court attendant serving as such under appointment by the sheriff of the county or by

the judge of the superior court, county court, and magistrates;

j. Any member of a legally organized detective agency;

k. Any guard in the employ of any railway express company, banking or building and loan institution of this state;

l. Any officer of the society for the prevention of cruelty to animals;

m. Any duly authorized military organization when under orders, or any member thereof when going to or from places of meeting of their respective organization, carrying the weapons prescribed for drill, exercise or parade;

n. Persons having a hunter's license in going to or from places of hunting;

o. Members of government civilian rifle clubs duly organized in accordance with the rules prescribed by the national board for the promotion of rifle practice, in going to or from their several places of target practice and carrying weapons necessary for such practice;

p. The director, deputy directors, inspectors and investigators of the division of alcoholic beverage control in the department of law and public safety; or

q. Public utility corporations in the transportation of explosives.

Source. R. S. 2:176-43, as am. L. 1933, c. 125, p. 259, §1.

2A:176-44. Permit to carry firearms; application, investigation of fingerprints; fee. Any person desiring to obtain a permit to carry a revolver, pistol or other firearm shall in the first instance make application therefor either to the chief police official of the municipality in which the applicant resides or to the sheriff of the county wherein the applicant resides.

If such application is approved by the chief police official or by the sheriff, as the case may be, the applicant shall then present the same to a judge of the county in which the applicant is a resident, who, after investigation, which shall include the name and address of the manufacturer of such revolver, pistol or other firearm, also any and all of the manufacturer's identification numbers, letters and marks and a complete description of the kind and type of revolver, pistol or other firearm which the applicant intends to carry; provided, however, that 1 permit shall be sufficient for such revolvers, pistols or other firearms of the applicant, and also the taking of the fingerprints of the applicant and the comparison of the same with any and all records of fingerprints in the municipality and county in which the applicant is a resident and also the records of the supervisor of the state bureau of identification of this state and the national bureau in the department of justice in Washington, District of Columbia, and being satisfied of the sufficiency of the application and the need of such person to carry concealed upon his person a revolver, pistol or other firearm, shall issue a permit therefor.

Each applicant for such a permit shall at the

time of granting the same pay to the clerk of the county in which he resides and in which the application is made, a license fee of \$3.00.
Source. R. S. 2:176-44, as am. L. 1939, c. 321, p. 790, §1.

2A:176-45. Permit to carry firearms; authority; expiration and renewal; revocation. A permit issued pursuant to section 2A:176-44 of this title shall be sufficient authority for the holder thereof to carry concealed upon his person a revolver, pistol or other firearm in all parts of the state. All permits issued pursuant to said section 2A:176-44 shall expire on the 31st day of December subsequent to the date of issue, and may thereafter be renewed annually in the same manner and subject to the same provisions by which the original permit was obtained.

Any such permit may be revoked by a judge of the county court of the county wherein the permit was issued. The county prosecutor of any county, the chief of police of any municipality or any citizen may apply to such judge of the county court at any time for a revocation of any permit issued, and the judge of the county court may, after hearing upon notice, revoke any such permit. No person whose permit has been revoked pursuant to the provisions hereof shall thereafter be issued any permit under the provisions of this article.
Source. R. S. 2:176-45.

2A:176-46. Violations of provisions relating to permits to carry. A violation of any of the provisions of sections 2A:176-44 or 2A:176-45 of this title shall be deemed a misdemeanor.
Source. R. S. 2:176-46.

2A:176-47. Permits in blank for banking institutions. The president of any national bank, building and loan association, trust company or other banking institution located in any municipality of this state may make application to the chief of police of the municipality for permits, in blank, to be used by the messengers, clerks or other employees or agents of such institutions for use while engaged in the performance of their respective duties. Upon the issue of such permits, the president shall transmit to the chief of police from whom the permits were obtained, a record of the persons to whom the same were issued. Permits issued in blank in accordance with this section shall not exceed 20 in number to any one banking institution.
Source. R. S. 2:176-47.

2A:176-48. False representations in permit applications or in purchases. Any person who shall give or cause to be given any false information, or shall sign a fictitious name or address, in applying for a permit to purchase or a permit to carry a pistol, revolver or other firearm, or in purchasing or otherwise acquiring delivery of the same, shall be guilty of a high misdemeanor.
Source. R. S. 2:176-48.

Article 6. MACHINE GUNS.

2A:176-49. "Machine gun or automatic rifle" defined. The term "machine gun or automatic rifle", as used in this article, shall mean any weapon, mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir, belt or other means of storing and carrying ammunition, which can be loaded into the said weapon, mechanism or instrument and fired therefrom at the rate of 5 or more shots to the second.

Source. R. S. 2:176-49.

2A:176-50. Sale, purchase or possession of machine guns; penalty. Any person who shall sell, give, loan, furnish or deliver any machine gun or automatic rifle to another person, or a person who shall purchase, have or possess any machine gun or automatic rifle, shall be guilty of a high misdemeanor.

Source. R. S. 2:176-50.

2A:176-51. Exceptions to section 2A:176-50. Section 2A:176-50 of this title shall not apply to any person having a license to purchase, have and possess a machine gun or automatic rifle, when such license is obtained in the manner hereinafter provided; nor to the authorized agents or servants of such licensee; nor to the officers and members of any duly authorized military organization; nor to the officers and members of the police force of any municipality, or of the state; nor to any sheriff or undersheriff; nor to any county prosecutor, his assistants, detectives and employees.

Source. R. S. 2:176-51.

2A:176-52. License to procure machine gun; application; reference and approval; issue of license. Any person who desires to purchase, have and possess a machine gun or automatic rifle may apply to a judge of the county court of the county in which the applicant is a resident for a license to purchase, have and possess a machine gun or automatic rifle. The application shall be in writing and shall state in detail the reasons why the applicant desires such license. Upon such application being presented to the judge, he shall refer the same to the sheriff of the county or to the chief police officer of the municipality in which the applicant resides, for his investigation and approval. If the application is approved by the sheriff or chief police officer, said judge may, in his discretion, issue a license under his hand and the seal of his court to the applicant to purchase, have and possess a machine gun or automatic rifle, for his own protection and for the protection of his servants and employees.

Source. R. S. 2:176-52.

2A:176-52.1. Blank. See proposed additional legislation.

2A:176-53. Record and delivery of license. Upon the issuance of such license, the judge shall send or deliver the same to the county clerk of