



<b>FLOOR AMENDMENT STATEMENT:</b>	No
<b>LEGISLATIVE FISCAL ESTIMATE:</b>	No
<b>VETO MESSAGE:</b>	Yes
<b>GOVERNOR'S PRESS RELEASE ON SIGNING:</b>	Yes

**FOLLOWING WERE PRINTED:**

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<b>REPORTS:</b>	No
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<b>HEARINGS:</b>	No
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<b>NEWSPAPER ARTICLES:</b>	Yes
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"Sweeney: No more action on gun-control bills," The Star-Ledger, 9-19-13

"Poll suggests vetoes of gun-control bills defied public opinion," The Philadelphia Inquirer, 9-19-13

"Support broad for gun control in N.J., poll says," The Record, 9-19-13

LAW/RWH

P.L.2013, CHAPTER 162, *approved September 18, 2013*  
Assembly, No. 3797 (*Third Reprint*)

1 AN ACT concerning <sup>2</sup>**[certain seized and recovered]** the reporting of  
2 information relating to certain<sup>2</sup> firearms <sup>2</sup>**[and]** <sup>2</sup> supplementing  
3 <sup>3</sup>Title 52 of the Revised Statutes,<sup>3</sup> <sup>2</sup>**[Title 52 of the Revised**  
4 **Statutes]** and amending P.L.1966, c.37<sup>2</sup>.

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

8  
9 1. <sup>2</sup>(New section)<sup>2</sup> The Legislature finds and declares that to  
10 further provide for the public safety and the well being of the  
11 citizens of this State, and to respond to growing dangers and threats  
12 of gun violence, it is altogether fitting and proper for the law  
13 enforcement departments and agencies of this State to fully  
14 participate, through the utilization of electronic technology, in  
15 interjurisdictional information and analysis sharing programs and  
16 systems to deter and solve gun crimes.

17 To effectuate this objective, it shall be the policy of this State for  
18 its various law enforcement agencies to utilize fully the federal  
19 Criminal Justice Information System to transmit and receive  
20 information relating to the seizure and recovery of firearms by law  
21 enforcement, in particular the National Crime Information Center  
22 System to determine whether a firearm has been reported stolen; the  
23 Alcohol, Tobacco, Firearms, and Explosives E-Trace System to  
24 establish the identity of a firearm's first purchaser, where that  
25 firearm was purchased and when it was purchased; and the National  
26 Integrated Ballistics Identification Network to ascertain whether a  
27 particular firearm is related to any other criminal event or person.

28  
29 <sup>2</sup>**[2. Whenever a law enforcement agency seizes or recovers any**  
30 **firearm, the agency shall promptly enter the make, model, caliber,**  
31 **and serial number of that firearm into the National Crime**  
32 **Information Center 2000 System to determine whether that firearm**  
33 **was reported stolen.]**<sup>2</sup>

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

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup>Assembly ALP committee amendments adopted February 14, 2013.

<sup>2</sup>Senate SLP committee amendments adopted May 9, 2013.

<sup>3</sup>Assembly amendments adopted in accordance with Governor's recommendations September 9, 2013.

1       <sup>2</sup>2. Section 3 of P.L.1966, c.37 (C.52:17B-5.3) is amended to  
2 read as follows:

3       3. a. All local and county police authorities shall submit a  
4 quarterly report to the Attorney General, on forms prescribed by the  
5 Attorney General, which report shall contain the number and nature  
6 of offenses committed within their respective jurisdictions, the  
7 disposition of such matters, information relating to criminal street  
8 gang activities within their respective jurisdictions, information  
9 relating to any offense directed against a person or group, or their  
10 property, by reason of their race, color, religion, gender, disability,  
11 sexual orientation, gender identity or expression, national origin, or  
12 ethnicity and such other information as the Attorney General may  
13 require, respecting information relating to the cause and prevention  
14 of crime, recidivism, the rehabilitation of criminals and the proper  
15 administration of criminal justice.

16       b. A law enforcement officer who responds to an offense  
17 involving criminal street gang activity shall complete a gang related  
18 incident offense report on a form prescribed by the Superintendent  
19 of State Police. All information contained in the gang related  
20 incident offense report shall be forwarded to the Superintendent of  
21 State Police for inclusion in the Uniform Crime Report.

22       c. A law enforcement officer who seizes or recovers a firearm  
23 that was unlawfully possessed, used for an unlawful purpose,  
24 recovered from a crime scene or is reasonably believed to have been  
25 used in or associated with the commission of a crime, or is  
26 otherwise acquired as an abandoned or discarded firearm shall  
27 complete, within 24 hours of the entering of the required  
28 information relating to that firearm into the New Jersey Trace  
29 System and such other State and federal database systems as  
30 prescribed by the superintendent, a seized or recovered firearms  
31 incident report on a form prescribed by the superintendent. The  
32 incident report shall be filed with the State Police in a manner and  
33 time prescribed by the superintendent.<sup>2</sup>

34 (cf: P.L.2010, c.110, s.1)

35

36       <sup>2</sup>**[3. Whenever a law enforcement agency seizes or recovers a**  
37 **firearm that was unlawfully possessed, used for an unlawful**  
38 **purpose, recovered from the scene of a crime, is reasonably**  
39 **believed to have been used or associated with the commission of a**  
40 **crime, or is acquired by the agency as an abandoned or discarded**  
41 **firearm, the agency shall, as soon as may be practicable, but in no**  
42 **case more than 24 hours after the agency has taken possession of**  
43 **the firearm, enter the appropriate information relating to that**  
44 **firearm into the New Jersey Trace System which, as part of the**  
45 **federal Criminal Justice Information System, makes information**  
46 **relating to that firearm's first purchaser and where and when it was**  
47 **purchased, available to all law enforcement agencies.]**<sup>2</sup>

1       <sup>2</sup>[4.] 3.<sup>2</sup> Whenever a law enforcement agency seizes or  
2 recovers a firearm that was unlawfully possessed, used for any  
3 unlawful purpose, recovered from the scene of a crime, is  
4 reasonably believed to have been used or associated with the  
5 commission of a crime, or is acquired by the agency as an  
6 abandoned or discarded firearm, the agency shall arrange for every  
7 such firearm that <sup>2</sup>, in accordance with protocols promulgated by  
8 the Attorney General and superintendent,<sup>2</sup> is determined to <sup>2</sup>merit  
9 and<sup>2</sup> be suitable for National Integrated Ballistics Identification  
10 Network data entry and examination to be test-fired as soon as may  
11 be practicable and the results of that test-firing be forthwith  
12 submitted to the National Integrated Ballistics Identification  
13 Network to determine whether the firearm is associated or related to  
14 a crime, criminal event, or any individual associated or related to a  
15 crime or criminal event or reasonably believed to be associated or  
16 related to a crime or criminal event.

17       Whenever a law enforcement agency recovers any spent shell  
18 casing at a crime scene or has reason to believe that the recovered  
19 spent shell casing is related to or associated with the commission of  
20 a crime or the unlawful discharge of a firearm, the agency shall, as  
21 soon as may be practicable, submit the ballistics information to the  
22 National Integrated Ballistics Identification Network.

23  
24       <sup>3</sup>[<sup>2</sup>15.] 4.<sup>2</sup> The Superintendent of State Police shall make  
25 available to the public quarterly reports summarizing firearms trace  
26 data received from the Bureau of Alcohol, Tobacco, Firearms, and  
27 Explosives. An initial report shall be issued summarizing data  
28 received within the preceding 10 years. Quarterly reports shall be  
29 issued summarizing data currently received. The reports shall  
30 include particular and aggregate information on:

- 31       a. The state of origin of the recovered firearm;  
32       b. The identity and city location of the firearm's source vendor;  
33       c. The type of firearm recovered;  
34       d. The manufacturer, make, and model of the recovered firearm;  
35       e. The crime which was committed with the recovered firearm;  
36 and  
37       f. Any other information the superintendent deems  
38 appropriate.<sup>1</sup><sup>3</sup>

39  
40       <sup>1</sup>[5.] <sup>2</sup>[6.1] <sup>3</sup>[5.2] 4.<sup>3</sup> This act shall take effect <sup>2</sup>[immediately]  
41 on the first day of the fourth month following enactment, but the  
42 Attorney General may take such anticipatory action in advance  
43 thereof as shall be necessary for the implementation of this act<sup>2</sup>.

1

2

3 Requires collection and reporting of certain firearms

4 information.

# ASSEMBLY, No. 3797

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED FEBRUARY 7, 2013

**Sponsored by:**

**Assemblyman CHARLES MAINOR**

**District 31 (Hudson)**

**SYNOPSIS**

Requires law enforcement to report certain firearms information to interjurisdictional electronic databases including the National Integrated Ballistics Identification Network.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning certain seized and recovered firearms and  
2 supplementing Title 52 of the Revised Statutes.

3

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

6

7 1. The Legislature finds and declares that to further provide for  
8 the public safety and the well being of the citizens of this State, and  
9 to respond to growing dangers and threats of gun violence, it is  
10 altogether fitting and proper for the law enforcement departments  
11 and agencies of this State to fully participate, through the utilization  
12 of electronic technology, in interjurisdictional information and  
13 analysis sharing programs and systems to deter and solve gun  
14 crimes.

15 To effectuate this objective, it shall be the policy of this State for  
16 its various law enforcement agencies to utilize fully the federal  
17 Criminal Justice Information System to transmit and receive  
18 information relating to the seizure and recovery of firearms by law  
19 enforcement, in particular the National Crime Information Center  
20 System to determine whether a firearm has been reported stolen; the  
21 Alcohol, Tobacco, Firearms, and Explosives E-Trace System to  
22 establish the identity of a firearm's first purchaser, where that  
23 firearm was purchased and when it was purchased; and the National  
24 Integrated Ballistics Identification Network to ascertain whether a  
25 particular firearm is related to any other criminal event or person.

26

27 2. Whenever a law enforcement agency seizes or recovers any  
28 firearm, the agency shall promptly enter the make, model, caliber,  
29 and serial number of that firearm into the National Crime  
30 Information Center 2000 System to determine whether that firearm  
31 was reported stolen.

32

33 3. Whenever a law enforcement agency seizes or recovers a  
34 firearm that was unlawfully possessed, used for an unlawful  
35 purpose, recovered from the scene of a crime, is reasonably  
36 believed to have been used or associated with the commission of a  
37 crime, or is acquired by the agency as an abandoned or discarded  
38 firearm, the agency shall, as soon as may be practicable, but in no  
39 case more than 24 hours after the agency has taken possession of  
40 the firearm, enter the appropriate information relating to that  
41 firearm into the New Jersey Trace System which, as part of the  
42 federal Criminal Justice Information System, makes information  
43 relating to that firearm's first purchaser and where and when it was  
44 purchased, available to all law enforcement agencies.

45

46 4. Whenever a law enforcement agency seizes or recovers a  
47 firearm that was unlawfully possessed, used for any unlawful  
48 purpose, recovered from the scene of a crime, is reasonably



1 believed to have been used or associated with the commission of a  
2 crime, or is acquired by the agency as an abandoned or discarded  
3 firearm, the agency shall arrange for every such firearm that is  
4 determined to be suitable for National Integrated Ballistics  
5 Identification Network data entry and examination to be test-fired  
6 as soon as may be practicable and the results of that test-firing be  
7 forthwith submitted to the National Integrated Ballistics  
8 Identification Network to determine whether the firearm is  
9 associated or related to a crime, criminal event, or any individual  
10 associated or related to a crime or criminal event or reasonably  
11 believed to be associated or related to a crime or criminal event.

12 Whenever a law enforcement agency recovers any spent shell  
13 casing at a crime scene or has reason to believe that the recovered  
14 spent shell casing is related to or associated with the commission of  
15 a crime or the unlawful discharge of a firearm, the agency shall, as  
16 soon as may be practicable, submit the ballistics information to the  
17 National Integrated Ballistics Identification Network.

18

19 5. This act shall take effect immediately.

20

21

22

#### STATEMENT

23

24 This bill codifies current law enforcement protocols concerning  
25 certain seized and recovered firearms.

26 Under the provisions of the bill, all New Jersey law enforcement  
27 agencies are required to report information relating to abandoned or  
28 discarded firearms they have recovered, or to firearms they have  
29 seized or recovered because those firearms were unlawfully  
30 possessed, used for an unlawful purpose, recovered from the scene  
31 of a crime, or are reasonably believed to have been used or  
32 associated with the commission of a crime to the National Crime  
33 Information Center 2000 System to determine whether that firearm  
34 has been reported stolen and to the New Jersey Trace System  
35 which, as part of the Criminal Justice Information System, makes  
36 information relating to the identity of a firearm's first purchaser,  
37 where and when it was purchased, and makes that information  
38 readily available to all law enforcement agencies.

39 The bill also requires all New Jersey law enforcement agencies  
40 to test-fire certain seized and recovered firearms and submit the  
41 resulting ballistics information to the National Integrated Ballistic  
42 Identification Network. The ballistics information in the network is  
43 used to determine whether the firearm is associated with or related  
44 to a crime, criminal event, or any individual associated or related to  
45 a crime or criminal event.

46 Similarly the bill requires all law enforcement to report the  
47 ballistics information concerning any spent shell casing recovered

**A3797 MAINOR**

4

1 at a crime scene to the National Integrated Ballistics Identification  
2 Network

3 The information submitted to the National Ballistics  
4 Identification Network is a readily available tool used by law  
5 enforcement not only to solve crimes, but also to prevent and deter  
6 future criminal activity.

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 3797**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: FEBRUARY 13, 2013

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 3797.

As amended and reported by the committee, Assembly Bill No. 3797 codifies current law enforcement protocols concerning certain seized and recovered firearms. The amended bill also requires reporting of firearms trace data.

Under the provisions of the bill, all New Jersey law enforcement agencies are required to report information relating to abandoned or discarded firearms they have recovered, or to firearms they have seized or recovered because those firearms were unlawfully possessed, used for an unlawful purpose, recovered from the scene of a crime, or are reasonably believed to have been used or associated with the commission of a crime to the National Crime Information Center 2000 System to determine whether that firearm has been reported stolen and to the New Jersey Trace System which, as part of the Criminal Justice Information System, makes information relating to the identity of a firearm's first purchaser, where and when it was purchased, and makes that information readily available to all law enforcement agencies.

The bill also requires all New Jersey law enforcement agencies to test-fire certain seized and recovered firearms and submit the resulting ballistics information to the National Integrated Ballistic Identification Network. The ballistics information in the network is used to determine whether the firearm is associated with or related to a crime, criminal event, or any individual associated or related to a crime or criminal event.

Similarly the bill requires all law enforcement to report the ballistics information concerning any spent shell casing recovered at a crime scene to the National Integrated Ballistics Identification Network

The information submitted to the National Ballistics Identification Network is a readily available tool used by law enforcement not only to solve crimes, but also to prevent and deter future criminal activity.

The amended bill also requires the Superintendent of State Police to issue to the public an initial report summarizing firearms trace data received within the last 10 years from the Bureau of Alcohol, Tobacco,

Firearms, and Explosives. Thereafter, quarterly reports are to be issued summarizing data currently received. The reports are to include particular and aggregate information on: (1) the state of origin of the recovered firearm; (2) the identity and city location of the firearm's source vendor; (3) the type of firearm recovered; (4) the manufacturer, make, and model of the recovered firearm; (5) the crime which was committed with the recovered firearm; and (6) other appropriate information.

COMMITTEE AMENDMENTS:

The committee amended the bill to require the Superintendent of State Police to issue to the public an initial report and thereafter quarterly reports summarizing firearms trace data received from the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

[First Reprint]

## **ASSEMBLY, No. 3797**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MAY 2, 2013

The Senate Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 3797 (1R).

As amended, this bill would require that information relating to the crime of firearms trafficking be included in the annual crime report the Attorney General prepares and transmits to the Governor and Legislature.

Under the provisions of the bill, local law enforcement officers and agencies are required to report to the various federal and State database systems that are part of the Criminal Justice Information System information relating to their seizure or recovery of firearms (1) unlawfully possessed; (2) used for an unlawful purpose; (3) recovered at a crime scene; or (4) found as abandoned or discarded weapons.

These database systems, which include the National Crime Information Center's 2000 System, NJ Trace (part of the Alcohol, Tobacco, Firearms, and Explosives' e-Trace System) and the National Integrated Ballistics Identification Network, make nationwide firearms information readily available to law enforcement agencies. By integrating and analyzing the firearms' information available through these databases with the data submitted by local law enforcement agencies in New Jersey, the State Police can develop valuable profiles on the geographic and source vendors, or providers, of the firearms being illegally brought into the State.

The bill also requires the Superintendent of State Police to issue to the public an initial report summarizing firearms trace data received within the last 10 years from the Bureau of Alcohol, Tobacco, Firearms, and Explosives. Thereafter, quarterly reports are to be issued summarizing data currently received. The reports are to include particular and aggregate information on: (1) the state of origin of the recovered firearm; (2) the identity and city location of the firearm's source vendor; (3) the type of firearm recovered; (4) the manufacturer, make, and model of the recovered firearm; (5) the crime which was committed with the recovered firearm; and (6) other appropriate information.

Finally, the bill also requires all New Jersey law enforcement agencies to test-fire certain seized and recovered firearms and submit the resulting ballistics information to the National Integrated Ballistic Identification Network. The ballistics information in the network is used to determine whether the firearm is associated with or related to a crime, criminal event, or any individual associated or related to a crime or criminal event.

The committee amendments make this bill identical to Senate Bill No. 2718. The amendments require the Attorney General and the superintendent to establish protocols concerning the submission of data to the National Integrated Ballistics Identification Network. Other amendments are technical and clarifying in nature.

**SENATE, No. 2718**

**STATE OF NEW JERSEY**  
**215th LEGISLATURE**

INTRODUCED APRIL 25, 2013

**Sponsored by:**

**Senator LORETTA WEINBERG**

**District 37 (Bergen)**

**SYNOPSIS**

Requires collection and reporting of certain firearms information to interjurisdictional databases; requires information relating to crime of firearms trafficking be included in annual Uniform Crime Report.

**CURRENT VERSION OF TEXT**

As introduced.



S2718 WEINBERG

2

1 AN ACT concerning the reporting of information relating to certain  
2 firearms, supplementing and amending P.L.1966, c.37.

3

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

6

7 1. (New section) The Legislature finds and declares that to  
8 further provide for the public safety and the well being of the  
9 citizens of this State, and to respond to growing dangers and threats  
10 of gun violence, it is altogether fitting and proper for the law  
11 enforcement departments and agencies of this State to fully  
12 participate, through the utilization of electronic technology, in  
13 interjurisdictional information and analysis sharing programs and  
14 systems to deter and solve gun crimes.

15 To effectuate this objective, it shall be the policy of this State for  
16 its various law enforcement agencies to utilize fully the federal  
17 Criminal Justice Information System to transmit and receive  
18 information relating to the seizure and recovery of firearms by law  
19 enforcement, in particular the National Crime Information Center  
20 System, to determine whether a firearm has been reported stolen;  
21 the Alcohol, Tobacco, Firearms, and Explosives E-Trace System to  
22 establish the identity of a firearm's first purchaser, where that  
23 firearm was purchased and when it was purchased; and the National  
24 Integrated Ballistics Identification Network to ascertain whether a  
25 particular firearm is related to any other criminal event or person.

26

27 2. Section 3 of P.L.1966, c.37 (C.52:17B-5.3) is amended to  
28 read as follows:

29 3. a. All local and county police authorities shall submit a  
30 quarterly report to the Attorney General, on forms prescribed by the  
31 Attorney General, which report shall contain the number and nature  
32 of offenses committed within their respective jurisdictions, the  
33 disposition of such matters, information relating to criminal street  
34 gang activities within their respective jurisdictions, information  
35 relating to any offense directed against a person or group, or their  
36 property, by reason of their race, color, religion, gender, disability,  
37 sexual orientation, gender identity or expression, national origin, or  
38 ethnicity and such other information as the Attorney General may  
39 require, respecting information relating to the cause and prevention  
40 of crime, recidivism, the rehabilitation of criminals and the proper  
41 administration of criminal justice.

42 b. A law enforcement officer who responds to an offense  
43 involving criminal street gang activity shall complete a gang related  
44 incident offense report on a form prescribed by the Superintendent  
45 of State Police. All information contained in the gang related

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

**Matter underlined thus is new matter.**



1 incident offense report shall be forwarded to the Superintendent of  
2 State Police for inclusion in the Uniform Crime Report.

3 c. A law enforcement officer who seizes or recovers a firearm  
4 that was unlawfully possessed, used for an unlawful purpose,  
5 recovered from a crime scene or is reasonably believed to have been  
6 used in or associated with the commission of a crime, or is  
7 otherwise acquired as an abandoned or discarded firearm shall,  
8 complete within 24 hours of the entering of the required  
9 information relating to that firearm into the New Jersey Trace  
10 System and such other State and federal database systems as  
11 prescribed by the superintendent, a seized or recovered firearms  
12 incident report on a form prescribed by the superintendent. The  
13 incident report shall be filed with the State Police in a manner and  
14 time prescribed by the superintendent.

15 (cf: P.L.2010, c.110, s.1)

16

17 3. (New section) Whenever a law enforcement agency seizes  
18 or recovers a firearm that was unlawfully possessed, used for any  
19 unlawful purpose, recovered from the scene of a crime, is  
20 reasonably believed to have been used or associated with the  
21 commission of a crime, or is acquired by the agency as an  
22 abandoned or discarded firearm, the agency shall arrange for every  
23 such firearm that, in accordance with protocols promulgated by the  
24 Attorney General and superintendent, is determined to merit and be  
25 suitable for National Integrated Ballistics Identification Network  
26 data entry and examination to be test-fired as soon as may be  
27 practicable and the results of that test-firing be forthwith submitted  
28 to the National Integrated Ballistics Identification Network to  
29 determine whether the firearm is associated or related to a crime,  
30 criminal event, or any individual associated or related to a crime or  
31 criminal event or reasonably believed to be associated or related to  
32 a crime or criminal event.

33 Whenever a law enforcement agency recovers any spent shell  
34 casing at a crime scene or has reason to believe that the recovered  
35 spent shell casing is related to or associated with the commission of  
36 a crime or the unlawful discharge of a firearm, the agency shall, as  
37 soon as may be practicable, submit the ballistics information to the  
38 National Integrated Ballistics Identification Network.

39

40 4. (New section) The Superintendent of State Police shall  
41 make available to the public quarterly reports summarizing firearms  
42 trace data received from the Bureau of Alcohol, Tobacco, Firearms,  
43 and Explosives. An initial report shall be issued summarizing data  
44 received within the preceding 10 years. Quarterly reports shall be  
45 issued summarizing data currently received. The reports shall  
46 include particular and aggregate information on:

- 47 a. The state of origin of the recovered firearm;  
48 b. The identity and city location of the firearm's source vendor;

- 1 c. The type of firearm recovered;
- 2 d. The manufacturer, make, and model of the recovered  
3 firearm;
- 4 e. The crime which was committed with the recovered firearm;  
5 and
- 6 f. Any other information the superintendent deems appropriate.  
7

8 5. This act shall take effect on the first day of the fourth month  
9 following enactment, but the Attorney General may take such  
10 anticipatory administrative action in advance thereof as shall be  
11 necessary for the implementation of this act.  
12

13  
14 STATEMENT  
15

16 This bill would require that information relating to the crime of  
17 firearms trafficking be included in the annual crime report the  
18 Attorney General prepares and transmits to the Governor and  
19 Legislature.

20 Under the provisions of the bill, local law enforcement officers  
21 and agencies are required to report to the various federal and State  
22 database systems that are part of the Criminal Justice Information  
23 System information relating to their seizure or recovery of firearms  
24 (1) unlawfully possessed; (2) used for an unlawful purpose; (3)  
25 recovered at a crime scene; or (4) found as abandoned or discarded  
26 weapons.

27 These database systems, which include the National Crime  
28 Information Center's 2000 System, NJ Trace (part of the Alcohol,  
29 Tobacco, Firearms, and Explosives' e-Trace System) and the  
30 National Integrated Ballistics Identification Network, make  
31 nationwide firearms information readily available to law  
32 enforcement agencies. By integrating and analyzing the firearms'  
33 information available through these databases with the data  
34 submitted by local law enforcement agencies in New Jersey, the  
35 State Police can develop valuable profiles on the geographic and  
36 source vendors, or providers, of the firearms being illegally brought  
37 into the State.

38 The bill also requires the Superintendent of State Police to issue  
39 to the public an initial report summarizing firearms trace data  
40 received within the last 10 years from the Bureau of Alcohol,  
41 Tobacco, Firearms, and Explosives. Thereafter, quarterly reports  
42 are to be issued summarizing data currently received. The reports  
43 are to include particular and aggregate information on: (1) the state  
44 of origin of the recovered firearm; (2) the identity and city location  
45 of the firearm's source vendor; (3) the type of firearm recovered;  
46 (4) the manufacturer, make, and model of the recovered firearm; (5)  
47 the crime which was committed with the recovered firearm; and (6)  
48 other appropriate information.

**S2718 WEINBERG**

5

1       Finally, the bill also requires all New Jersey law enforcement  
2 agencies to test-fire certain seized and recovered firearms and  
3 submit the resulting ballistics information to the National Integrated  
4 Ballistic Identification Network. The ballistics information in the  
5 network is used to determine whether the firearm is associated with  
6 or related to a crime, criminal event, or any individual associated or  
7 related to a crime or criminal event.

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **SENATE, No. 2718**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MAY 2, 2013

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 2718.

This bill would require that information relating to the crime of firearms trafficking be included in the annual crime report the Attorney General prepares and transmits to the Governor and Legislature.

Under the provisions of the bill, local law enforcement officers and agencies are required to report to the various federal and State database systems that are part of the Criminal Justice Information System information relating to their seizure or recovery of firearms (1) unlawfully possessed; (2) used for an unlawful purpose; (3) recovered at a crime scene; or (4) found as abandoned or discarded weapons.

These database systems, which include the National Crime Information Center's 2000 System, NJ Trace (part of the Alcohol, Tobacco, Firearms, and Explosives' e-Trace System) and the National Integrated Ballistics Identification Network, make nationwide firearms information readily available to law enforcement agencies. By integrating and analyzing the firearms' information available through these databases with the data submitted by local law enforcement agencies in New Jersey, the State Police can develop valuable profiles on the geographic and source vendors, or providers, of the firearms being illegally brought into the State.

The bill also requires the Superintendent of State Police to issue to the public an initial report summarizing firearms trace data received within the last 10 years from the Bureau of Alcohol, Tobacco, Firearms, and Explosives. Thereafter, quarterly reports are to be issued summarizing data currently received. The reports are to include particular and aggregate information on: (1) the state of origin of the recovered firearm; (2) the identity and city location of the firearm's source vendor; (3) the type of firearm recovered; (4) the manufacturer, make, and model of the recovered firearm; (5) the crime which was committed with the recovered firearm; and (6) other appropriate information.

Finally, the bill also requires all New Jersey law enforcement agencies to test-fire certain seized and recovered firearms and submit the resulting ballistics information to the National Integrated Ballistic Identification Network. The ballistics information in the network is used to determine whether the firearm is associated with or related to a crime, criminal event, or any individual associated or related to a crime or criminal event.

The committee amendment is technical in nature.

**ASSEMBLY BILL NO. 3797**  
**(Second Reprint)**

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 3797 (Second Reprint) with my recommendations for reconsideration.

By Directive of the Attorney General of the State of New Jersey, State law enforcement officers and agencies are required to report information regarding firearms that are seized from criminals, recovered in a criminal investigation, or discovered as abandoned or discarded. The Attorney General's Directive requires this information be shared with database systems including the National Crime Information Center's 2000 System; NJ Trace (a part of the federal Bureau of Alcohol, Tobacco, Firearms, and Explosives' ("ATF") e-Trace System); and the National Integrated Ballistics Identification Network. This bill would require the same reporting -- a requirement that, while redundant of our existing law enforcement efforts, is nonetheless worthwhile.

However, the bill would also require the Superintendent of State Police to issue various reports that disclose firearms trace data received from the ATF. This reporting requirement extends to data already provided by the federal government, data currently in the possession of law enforcement, and all future data received. According to the Office of the Attorney General, that requirement violates federal law. Named for their sponsor, United States Representative Todd Tiahrt, the "Tiahrt Amendments" have been attached to the appropriations bills of

the United States Department of Justice since 2003, and prohibit the knowing and public disclosure of ATF trace data information that law enforcement entities receive by virtue of their participation in the ATF firearms trace system database program. Without question, the existing Attorney General Law Enforcement Directive mandating submission of crime gun and abandoned gun information is a laudable program that enhances law enforcement efforts to combat gun trafficking. However, the law is clear with regard to the prohibition against public disclosure of ATF trace data information that law enforcement entities receive by virtue of their participation in the ATF firearms trace system database program.

Accordingly, I herewith return Assembly Bill No. 3797 (Second Reprint) and recommend that it be amended as follows:

<u>Page 4, Section 4, Lines 15-28:</u>	Delete in their entirety
<u>Page 4, Section 5, Line 30:</u>	Delete "5." And insert "4."

Chris Christie

Governor

Attest:

Charles B. McKenna  
Chief Counsel to the Governor

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## Governor Christie Signs Bipartisan Measure To Strengthen New Jersey's Tough Gun Laws

Friday, September 20, 2013 Tags: [Bill Action](#)

### *Separately Signs Bill Involving Permits For Horse Racing On Beaches*

**Trenton, NJ** – Strengthening New Jersey's already-tough guns laws, Governor Christie today signed a bipartisan measure that codifies existing state guidelines into law for reporting of firearms seized from criminals, recovered in criminal investigations or found abandoned or discarded.

The bill, A-3797, includes the full recommended changes the Governor submitted to the Legislature in his conditional veto last month. His changes called for the codification of these regulations to bring the bill in line with federal law. Without these improvements, the bill would have violated federal law under the Tiahrt Amendments.

"I'm glad the Legislature acted swiftly to incorporate my commonsense changes so that I can sign this bill and responsibly strengthen New Jersey's already-tough gun laws," said Governor Christie. "This new law will help state and federal law enforcement officials stop guns from getting into the hands of criminals, and help maintain public safety."

According to The Brady Campaign To Prevent Gun Violence, New Jersey's existing gun laws are currently ranked as the second-toughest in the nation and include an assault weapons ban, a seven-day waiting period and the second-strictest magazine limit in the country. Additionally, thorough background checks already exist for individuals wishing to purchase a firearm.

Separately, Governor Christie also signed Bill A-4149, which adopted the Governor's recommendations to authorize the New Jersey Racing Commission to grant a special permit for horse racing on the beach.

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