

2C:58-3
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2022 **CHAPTER:** 52

NJSA: 2C:58-3
(Requires firearm owners who become New Jersey residents to obtain firearm purchaser identification card and register handguns acquired out-of-State.)

BILL NO: S1204 (Substituted for A1179 (2R))

SPONSOR(S) Joseph P. Cryan and others

DATE INTRODUCED: 2/3/2022

COMMITTEE: **ASSEMBLY:** ---
SENATE: Law and Public Safety

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 6/29/2022
SENATE: 6/29/2022

DATE OF APPROVAL: 7/5/2022

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First Reprint enacted) Yes

S1204

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes Law & Public Safety

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

A1179 (2R)

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes Judiciary
Appropriations

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE:

Yes 6/24/2022
6/30/2022

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

Yes

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

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

end

P.L. 2022, CHAPTER 52, *approved July 5, 2022*
Senate, No. 1204 (*First Reprint*)

1 AN ACT concerning firearm ownership and amending N.J.S.2C:58-
2 3.

3

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

6

7 ¹**[**1. N.J.S.2C:58-3 is amended to read as follows:

8 2C:58-3. a. Permit to purchase a handgun.

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

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

18 The provisions of this paragraph shall not apply if the transaction
19 is:

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

22 (b) between law enforcement officers;

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

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

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

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

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

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:

¹Senate SLP committee amendments adopted June 23, 2022.

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

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

6 b. Firearms purchaser identification card.

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

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

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

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

32 (b) between law enforcement officers;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 Application blanks shall be obtainable from the superintendent,
20 from any other officer authorized to grant a permit or identification
21 card, and from licensed retail dealers.

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

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

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

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

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

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

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

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

40 (2) a collector of handguns as curios or relics as defined in Title
41 18, United States Code, section 921 (a) (13) who has in his possession
42 a valid Collector of Curios and Relics License issued by the federal
43 Bureau of Alcohol, Tobacco, Firearms and Explosives;

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

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

1 (5) any transaction where the person has purchased a handgun
2 from a licensed retail dealer and has returned that handgun to the
3 dealer in exchange for another handgun within 30 days of the original
4 transaction, provided the retail dealer reports the exchange transaction
5 to the superintendent; or

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

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

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

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

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

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

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

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

7 o. Registration of handguns owned by new residents. Any person
8 who becomes a resident of this State following the effective date of
9 P.L. , c. (pending before the Legislature as this bill) and who
10 transports into this State a firearm that the person owned or acquired
11 while residing in another state shall apply for a firearm purchaser
12 identification card within 60 days of becoming a New Jersey resident,
13 and shall register any handgun so transported into this State within 60
14 days as provided in this subsection.

15 A person who registers a handgun pursuant to this subsection shall
16 complete a registration statement, which shall be in a form prescribed
17 by the superintendent. The information provided in the registration
18 statement shall include, but shall not be limited to, the name and
19 address of the person and the make, model, and serial number of the
20 handgun being registered. Each registration statement shall be signed
21 by the person, and the signature shall constitute a representation of the
22 accuracy of the information contained in the registration statement.

23 The registration statement shall be submitted to the law
24 enforcement agency of the municipality in which the person resides or,
25 if the municipality does not have a municipal law enforcement agency,
26 any State Police station.

27 Within 60 days prior to the effective date of P.L. , c. (pending
28 before the Legislature as this bill), the superintendent shall prepare the
29 form of registration statement as described in this subsection and shall
30 provide a suitable supply of statements to each organized full-time
31 municipal police department and each State Police station.

32 A person who fails to apply for a firearm purchaser identification
33 card or register a handgun as required pursuant to this subsection shall
34 be liable to a civil penalty of \$250 for a first offense and shall be guilty
35 of a disorderly persons offense for a second or subsequent offense.

36 If a person is in possession of multiple firearms or handguns in
37 violation of this subsection, the person shall be guilty of one offense
38 under this subsection provided the violation is a single event.

39 The civil penalty shall be collected pursuant to the "Penalty
40 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.) in a
41 summary proceeding before the municipal court having jurisdiction. A
42 law enforcement officer having enforcement authority in that
43 municipality may issue a summons for a violation, and may serve and
44 execute all process with respect to the enforcement of this subsection
45 consistent with the Rules of Court.

46 (cf: P.L.2018, c.36, s.1)]¹

47
48 ¹1. N.J.S.2C:58-3 is amended to read as follows:

1 2C:58-3. a. Permit to purchase a handgun.

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

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

11 The provisions of this paragraph shall not apply if the transaction
12 is:

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

15 (b) between law enforcement officers;

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

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

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

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

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

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

36 (d) any record produced pursuant to this subsection shall not be
37 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-
38 1 et seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

39 b. Firearms purchaser identification card.

40 (1) No person shall sell, give, transfer, assign or otherwise
41 dispose of nor receive, purchase or otherwise acquire an antique
42 cannon or a rifle or shotgun, other than an antique rifle or shotgun,
43 unless the purchaser, assignee, donee, receiver or holder is licensed
44 as a dealer under this chapter or possesses a valid firearms
45 purchaser identification card, and first exhibits the card to the seller,
46 donor, transferor or assignor, and unless the purchaser, assignee,
47 donee, receiver or holder signs a written certification, on a form
48 prescribed by the superintendent, which shall indicate that he

1 presently complies with the requirements of subsection c. of this
2 section and shall contain his name, address and firearms purchaser
3 identification card number or dealer's registration number. The
4 certification shall be retained by the seller, as provided in paragraph
5 (4) of subsection a. of N.J.S.2C:58-2, or, in the case of a person
6 who is not a dealer, it may be filed with the chief of police of the
7 municipality in which he resides or with the superintendent.

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

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

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

17 (b) between law enforcement officers;

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

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

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

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

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

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

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

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

- 1 (1) To any person who has been convicted of any crime, or a
2 disorderly persons offense involving an act of domestic violence as
3 defined in section 3 of P.L.1991, c.261 (C.2C:25-19), whether or
4 not armed with or possessing a weapon at the time of the offense;
- 5 (2) To any drug-dependent person as defined in section 2 of
6 P.L.1970, c.226 (C.24:21-2), to any person who is confined for a
7 mental disorder to a hospital, mental institution or sanitarium, or to
8 any person who is presently an habitual drunkard;
- 9 (3) To any person who suffers from a physical defect or disease
10 which would make it unsafe for him to handle firearms, to any
11 person who has ever been confined for a mental disorder, or to any
12 alcoholic unless any of the foregoing persons produces a certificate
13 of a medical doctor or psychiatrist licensed in New Jersey, or other
14 satisfactory proof, that he is no longer suffering from that particular
15 disability in a manner that would interfere with or handicap him in
16 the handling of firearms; to any person who knowingly falsifies any
17 information on the application form for a handgun purchase permit
18 or firearms purchaser identification card;
- 19 (4) To any person under the age of 18 years for a firearms
20 purchaser identification card and to any person under the age of 21
21 years for a permit to purchase a handgun;
- 22 (5) To any person where the issuance would not be in the interest
23 of the public health, safety or welfare;
- 24 (6) To any person who is subject to a restraining order issued
25 pursuant to the "Prevention of Domestic Violence Act of 1991",
26 P.L.1991, c.261 (C.2C:25-17 et seq.) prohibiting the person from
27 possessing any firearm;
- 28 (7) To any person who as a juvenile was adjudicated delinquent
29 for an offense which, if committed by an adult, would constitute a
30 crime and the offense involved the unlawful use or possession of a
31 weapon, explosive or destructive device or is enumerated in
32 subsection d. of section 2 of P.L.1997, c.117 (C.2C:43-7.2);
- 33 (8) To any person whose firearm is seized pursuant to the
34 "Prevention of Domestic Violence Act of 1991", P.L.1991, c.261
35 (C.2C:25-17 et seq.) and whose firearm has not been returned; or
- 36 (9) To any person named on the consolidated Terrorist Watchlist
37 maintained by the Terrorist Screening Center administered by the
38 Federal Bureau of Investigation;
- 39 (10) To any person who is subject to a court order prohibiting the
40 custody, control, ownership, purchase, possession, or receipt of a
41 firearm or ammunition issued pursuant to the "Extreme Risk
42 Protective Order Act of 2018", P.L.2018, c.35 (C.2C:58-20 et al.);
43 or
- 44 (11) To any person who is subject to a court order prohibiting the
45 custody, control, ownership, purchase, possession, or receipt of a
46 firearm or ammunition issued pursuant to P.L.2021, c.327
47 (C.2C:12-14 et al.).

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

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

22 e. Applications. Applications for permits to purchase a
23 handgun and for firearms purchaser identification cards shall be in
24 the form prescribed by the superintendent and shall set forth the
25 name, residence, place of business, age, date of birth, occupation,
26 sex and physical description, including distinguishing physical
27 characteristics, if any, of the applicant, and shall state whether the
28 applicant is a citizen, whether he is an alcoholic, habitual drunkard,
29 drug-dependent person as defined in section 2 of P.L.1970, c.226
30 (C.24:21-2), whether he has ever been confined or committed to a
31 mental institution or hospital for treatment or observation of a
32 mental or psychiatric condition on a temporary, interim or
33 permanent basis, giving the name and location of the institution or
34 hospital and the dates of confinement or commitment, whether he
35 has been attended, treated or observed by any doctor or psychiatrist
36 or at any hospital or mental institution on an inpatient or outpatient
37 basis for any mental or psychiatric condition, giving the name and
38 location of the doctor, psychiatrist, hospital or institution and the
39 dates of the occurrence, whether he presently or ever has been a
40 member of any organization which advocates or approves the
41 commission of acts of force and violence to overthrow the
42 Government of the United States or of this State, or which seeks to
43 deny others their rights under the Constitution of either the United
44 States or the State of New Jersey, whether he has ever been
45 convicted of a crime or disorderly persons offense, whether the
46 person is subject to a restraining order issued pursuant to the
47 "Prevention of Domestic Violence Act of 1991", P.L.1991, c.261
48 (C.2C:25-17 et seq.) prohibiting the person from possessing any

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

13 Application blanks shall be obtainable from the superintendent,
14 from any other officer authorized to grant a permit or identification
15 card, and from licensed retail dealers.

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

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

1 be an offense under subsection a. of N.J.S.2C:39-10. Any firearms
2 purchaser identification card may be revoked by the Superior Court
3 of the county wherein the card was issued, after hearing upon
4 notice, upon a finding that the holder thereof no longer qualifies for
5 the issuance of the permit. The county prosecutor of any county,
6 the chief police officer of any municipality or any citizen may apply
7 to the court at any time for the revocation of the card.

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

12 g. Disposition of fees. All fees for permits shall be paid to the
13 State Treasury if the permit is issued by the superintendent, to the
14 municipality if issued by the chief of police, and to the county
15 treasurer if issued by the judge of the Superior Court.

16 h. Form of permit; quadruplicate; disposition of copies. The
17 permit shall be in the form prescribed by the superintendent and
18 shall be issued to the applicant in quadruplicate. Prior to the time
19 he receives the handgun from the seller, the applicant shall deliver
20 to the seller the permit in quadruplicate and the seller shall
21 complete all of the information required on the form. Within five
22 days of the date of the sale, the seller shall forward the original
23 copy to the superintendent and the second copy to the chief of
24 police of the municipality in which the purchaser resides, except
25 that in a municipality having no chief of police, the copy shall be
26 forwarded to the superintendent. The third copy shall then be
27 returned to the purchaser with the pistol or revolver and the fourth
28 copy shall be kept by the seller as a permanent record.

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

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

36 (2) a collector of handguns as curios or relics as defined in Title
37 18, United States Code, section 921 (a) (13) who has in his
38 possession a valid Collector of Curios and Relics License issued by
39 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

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

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

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

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

4 The provisions of this subsection shall not be construed to afford
5 or authorize any other exemption from the regulatory provisions
6 governing firearms set forth in chapter 39 and chapter 58 of Title
7 2C of the New Jersey Statutes;

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

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

29 k. Sawed-off shotguns. Nothing in this section shall be
30 construed to authorize the purchase or possession of any sawed-off
31 shotgun.

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

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

46 n. For the purposes of this section, "immediate family" means a
47 spouse, domestic partner as defined in section 3 of P.L.2003, c.246
48 (C.26:8A-3), partner in a civil union couple as defined in section 2

1 of P.L.2006, c.103 (C.37:1-29), parent, stepparent, grandparent,
2 sibling, stepsibling, child, stepchild, and grandchild, as related by
3 blood or by law.

4 o. Registration of handguns owned by new residents. Any
5 person who becomes a resident of this State following the effective
6 date of P.L. , c. (pending before the Legislature as this bill) and
7 who transports into this State a firearm that the person owned or
8 acquired while residing in another state shall apply for a firearm
9 purchaser identification card within 60 days of becoming a New
10 Jersey resident, and shall register any handgun so transported into
11 this State within 60 days as provided in this subsection.

12 A person who registers a handgun pursuant to this subsection
13 shall complete a registration statement, which shall be in a form
14 prescribed by the superintendent. The information provided in the
15 registration statement shall include, but shall not be limited to, the
16 name and address of the person and the make, model, and serial
17 number of the handgun being registered. Each registration statement
18 shall be signed by the person, and the signature shall constitute a
19 representation of the accuracy of the information contained in the
20 registration statement.

21 The registration statement shall be submitted to the law
22 enforcement agency of the municipality in which the person resides
23 or, if the municipality does not have a municipal law enforcement
24 agency, any State Police station.

25 Within 60 days prior to the effective date of P.L. , c.
26 (pending before the Legislature as this bill), the superintendent shall
27 prepare the form of registration statement as described in this
28 subsection and shall provide a suitable supply of statements to each
29 organized full-time municipal police department and each State
30 Police station.

31 A person who fails to apply for a firearm purchaser identification
32 card or register a handgun as required pursuant to this subsection
33 shall be granted 30 days to comply with the provisions of this
34 subsection. If the person does not comply within 30 days, the
35 person shall be liable to a civil penalty of \$250 for a first offense
36 and shall be guilty of a disorderly persons offense for a second or
37 subsequent offense.

38 If a person is in possession of multiple firearms or handguns in
39 violation of this subsection, the person shall be guilty of one
40 offense under this subsection provided the violation is a single
41 event.

42 The civil penalty shall be collected pursuant to the "Penalty
43 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.) in
44 a summary proceeding before the municipal court having
45 jurisdiction. A law enforcement officer having enforcement
46 authority in that municipality may issue a summons for a violation,
47 and may serve and execute all process with respect to the

1 enforcement of this subsection consistent with the Rules of Court.¹
2 (cf: P.L.2021, c.327, s.6)

3

4 2. This act shall take effect on the first day of the seventh
5 month following the date of enactment.

6

7

8

9

10 _____
11 Requires firearm owners who become New Jersey residents to
12 obtain firearm purchaser identification card and register handguns
acquired out-of-State.

SENATE, No. 1204

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED FEBRUARY 3, 2022

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

Senator ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Co-Sponsored by:

Senators Pou, Ruiz and Cunningham

SYNOPSIS

Requires firearm owners who become New Jersey residents to obtain firearm purchaser identification card and register handguns acquired out-of-State.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/16/2022)

1 AN ACT concerning firearm ownership and amending N.J.S.2C:58-
2 3.

3

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

6

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

8 2C:58-3. a. Permit to purchase a handgun.

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

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

18 The provisions of this paragraph shall not apply if the transaction
19 is:

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

22 (b) between law enforcement officers;

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

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

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

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

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

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

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

44 b. Firearms purchaser identification card.

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

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

22 The provisions of this paragraph shall not apply if the transaction
23 is:

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

26 (b) between law enforcement officers;

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

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

33 (3) Prior to a transaction conducted pursuant to this subsection, the
34 retail dealer shall complete a National Instant Criminal Background
35 Check of the person acquiring an antique cannon or a rifle or shotgun.

36 In addition:

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

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

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

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

1 c. Who may obtain. No person of good character and good repute
2 in the community in which he lives, and who is not subject to any of
3 the disabilities set forth in this section or other sections of this chapter,
4 shall be denied a permit to purchase a handgun or a firearms purchaser
5 identification card, except as hereinafter set forth. No handgun
6 purchase permit or firearms purchaser identification card shall be
7 issued:

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

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

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

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

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

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

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

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

43 (9) To any person named on the consolidated Terrorist Watchlist
44 maintained by the Terrorist Screening Center administered by the
45 Federal Bureau of Investigation; or

46 (10) To any person who is subject to a court order prohibiting the
47 custody, control, ownership, purchase, possession, or receipt of a

1 firearm or ammunition issued pursuant to the "Extreme Risk Protective
2 Order Act of 2018," P.L.2018, c.35 (C.2C:58-20 et al.).

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

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

23 e. Applications. Applications for permits to purchase a handgun
24 and for firearms purchaser identification cards shall be in the form
25 prescribed by the superintendent and shall set forth the name,
26 residence, place of business, age, date of birth, occupation, sex and
27 physical description, including distinguishing physical characteristics,
28 if any, of the applicant, and shall state whether the applicant is a
29 citizen, whether he is an alcoholic, habitual drunkard, drug dependent
30 person as defined in section 2 of P.L.1970, c.226 (C.24:21-2), whether
31 he has ever been confined or committed to a mental institution or
32 hospital for treatment or observation of a mental or psychiatric
33 condition on a temporary, interim or permanent basis, giving the name
34 and location of the institution or hospital and the dates of confinement
35 or commitment, whether he has been attended, treated or observed by
36 any doctor or psychiatrist or at any hospital or mental institution on an
37 inpatient or outpatient basis for any mental or psychiatric condition,
38 giving the name and location of the doctor, psychiatrist, hospital or
39 institution and the dates of the occurrence, whether he presently or
40 ever has been a member of any organization which advocates or
41 approves the commission of acts of force and violence to overthrow
42 the Government of the United States or of this State, or which seeks to
43 deny others their rights under the Constitution of either the United
44 States or the State of New Jersey, whether he has ever been convicted
45 of a crime or disorderly persons offense, whether the person is subject
46 to a restraining order issued pursuant to the "Prevention of Domestic
47 Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.)
48 prohibiting the person from possessing any firearm, whether the

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

11 Application blanks shall be obtainable from the superintendent,
12 from any other officer authorized to grant a permit or identification
13 card, and from licensed retail dealers.

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

28 f. Granting of permit or identification card; fee; term; renewal;
29 revocation. The application for the permit to purchase a handgun
30 together with a fee of \$2, or the application for the firearms purchaser
31 identification card together with a fee of \$5, shall be delivered or
32 forwarded to the licensing authority who shall investigate the same
33 and, unless good cause for the denial thereof appears, shall grant the
34 permit or the identification card, or both, if application has been made
35 therefor, within 30 days from the date of receipt of the application for
36 residents of this State and within 45 days for nonresident applicants.
37 A permit to purchase a handgun shall be valid for a period of 90 days
38 from the date of issuance and may be renewed by the issuing authority
39 for good cause for an additional 90 days. A firearms purchaser
40 identification card shall be valid until such time as the holder becomes
41 subject to any of the disabilities set forth in subsection c. of this
42 section, whereupon the card shall be void and shall be returned within
43 five days by the holder to the superintendent, who shall then advise the
44 licensing authority. Failure of the holder to return the firearms
45 purchaser identification card to the superintendent within the five days
46 shall be an offense under subsection a. of N.J.S.2C:39-10. Any
47 firearms purchaser identification card may be revoked by the Superior
48 Court of the county wherein the card was issued, after hearing upon

1 notice, upon a finding that the holder thereof no longer qualifies for
2 the issuance of the permit. The county prosecutor of any county, the
3 chief police officer of any municipality or any citizen may apply to the
4 court at any time for the revocation of the card.

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

9 g. Disposition of fees. All fees for permits shall be paid to the
10 State Treasury if the permit is issued by the superintendent, to the
11 municipality if issued by the chief of police, and to the county
12 treasurer if issued by the judge of the Superior Court.

13 h. Form of permit; quadruplicate; disposition of copies. The
14 permit shall be in the form prescribed by the superintendent and shall
15 be issued to the applicant in quadruplicate. Prior to the time he
16 receives the handgun from the seller, the applicant shall deliver to the
17 seller the permit in quadruplicate and the seller shall complete all of
18 the information required on the form. Within five days of the date of
19 the sale, the seller shall forward the original copy to the superintendent
20 and the second copy to the chief of police of the municipality in which
21 the purchaser resides, except that in a municipality having no chief of
22 police, the copy shall be forwarded to the superintendent. The third
23 copy shall then be returned to the purchaser with the pistol or revolver
24 and the fourth copy shall be kept by the seller as a permanent record.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

46 o. Registration of handguns owned by new residents. Any person
47 who becomes a resident of this State following the effective date of
48 P.L. _____, c. _____ (pending before the Legislature as this bill) and who

1 transports into this State a firearm that the person owned or acquired
2 while residing in another state shall apply for a firearm purchaser
3 identification card within 60 days of becoming a New Jersey resident,
4 and shall register any handgun so transported into this State within 60
5 days as provided in this subsection.

6 A person who registers a handgun pursuant to this subsection shall
7 complete a registration statement, which shall be in a form prescribed
8 by the superintendent. The information provided in the registration
9 statement shall include, but shall not be limited to, the name and
10 address of the person and the make, model, and serial number of the
11 handgun being registered. Each registration statement shall be signed
12 by the person, and the signature shall constitute a representation of the
13 accuracy of the information contained in the registration statement.

14 The registration statement shall be submitted to the law
15 enforcement agency of the municipality in which the person resides or,
16 if the municipality does not have a municipal law enforcement agency,
17 any State Police station.

18 Within 60 days prior to the effective date of P.L. , c. (pending
19 before the Legislature as this bill), the superintendent shall prepare the
20 form of registration statement as described in this subsection and shall
21 provide a suitable supply of statements to each organized full-time
22 municipal police department and each State Police station.

23 A person who fails to apply for a firearm purchaser identification
24 card or register a handgun as required pursuant to this subsection shall
25 be liable to a civil penalty of \$250 for a first offense and shall be guilty
26 of a disorderly persons offense for a second or subsequent offense.

27 If a person is in possession of multiple firearms or handguns in
28 violation of this subsection, the person shall be guilty of one offense
29 under this subsection provided the violation is a single event.

30 The civil penalty shall be collected pursuant to the "Penalty
31 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.) in a
32 summary proceeding before the municipal court having jurisdiction. A
33 law enforcement officer having enforcement authority in that
34 municipality may issue a summons for a violation, and may serve and
35 execute all process with respect to the enforcement of this subsection
36 consistent with the Rules of Court.

37 (cf: P.L.2018, c.36, s.1)

38

39 2. This act shall take effect on the first day of the seventh
40 month following the date of enactment.

41

42

43

STATEMENT

44

45 This bill requires firearm owners who move to New Jersey to
46 obtain a firearm purchaser identification card (FPIC) and register
47 handguns.

1 Under current law, a person who purchases a firearm in this State
2 is required to display an FPIC, which identifies the card holder as a
3 person who meets the statutory qualifications to purchase a firearm
4 in this State. A person who legally owned a firearm while residing in
5 another state and then moves to New Jersey currently is not required to
6 obtain an FPIC. The person also is not required to register the firearm,
7 but may do so voluntarily.

8 The bill requires a firearm owner who becomes a resident of this
9 State to apply for an FPIC within 60 days and if the firearm is a
10 handgun, to register that handgun within 60 days. To register the
11 handgun, the owner is required to submit to the municipal law
12 enforcement agency or the State Police a registration statement that
13 provides the person's name and address and the make, model, and
14 serial number of the firearm being registered.

15 Under the bill, the Superintendent of State Police is required to
16 prepare the form of registration statement and provide a suitable
17 supply of statements to each organized full-time municipal police
18 department and each State Police station within 60 days prior to the
19 bill's enactment.

20 The bill provides that a person who fails to apply for a firearm
21 purchaser identification card or register a handgun as required under
22 the bill's provisions is liable to a civil penalty of \$250 for a first
23 offense and is guilty of a disorderly persons offense for a second or
24 subsequent offense. Under the bill, if a person is in possession of
25 multiple firearms or handguns in violation of the bill's provisions,
26 the person is guilty of one offense under the bill provided the
27 violation is a single event.

28 Finally, the bill provides that the civil penalty is to be collected
29 pursuant to the "Penalty Enforcement Law of 1999" in a summary
30 proceeding before the municipal court having jurisdiction. Under
31 the bill, a law enforcement officer having enforcement authority in
32 that municipality may issue a summons for a violation and may
33 serve and execute all process with respect to the enforcement
34 consistent with the Rules of Court.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 1204

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 23, 2022

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 1204.

As amended and reported by the committee, this bill requires firearm owners who move to New Jersey to obtain a firearm purchaser identification card (FPIC) and register handguns.

Under current law, a person who purchases a firearm in this State is required to display an FPIC, which identifies the card holder as a person who meets the statutory qualifications to purchase a firearm in this State. A person who legally owned a firearm while residing in another state and then moves to New Jersey currently is not required to obtain an FPIC. The person also is not required to register the firearm, but may do so voluntarily.

The bill requires a firearm owner who becomes a resident of this State to apply for an FPIC within 60 days and if the firearm is a handgun, to register that handgun within 60 days. To register the handgun, the owner is required to submit to the municipal law enforcement agency or the State Police a registration statement that provides the person's name and address and the make, model, and serial number of the firearm being registered.

Under the bill, the Superintendent of State Police is required to prepare the form of registration statement and provide a suitable supply of statements to each organized full-time municipal police department and each State Police station within 60 days prior to the bill's enactment.

The bill provides that a person who fails to apply for a firearm purchaser identification card or register a handgun as required by the bill will be granted 30 days to comply with the bill's provisions, after which time the person is liable to a civil penalty of \$250 for a first offense and is guilty of a disorderly persons offense for a second or subsequent offense.

Under the bill, if a person is in possession of multiple firearms or handguns in violation of the bill's provisions, the person is guilty of one offense under the bill provided the violation is a single event.

Finally, the bill provides that the civil penalty is to be collected pursuant to the "Penalty Enforcement Law of 1999" in a summary proceeding before the municipal court having jurisdiction. Under

the bill, a law enforcement officer having enforcement authority in that municipality may issue a summons for a violation and may serve and execute all process with respect to the enforcement consistent with the Rules of Court.

COMMITTEE AMENDMENTS

The committee amended the bill to:

1) made a technical amendment to bring the bill into conformity with P.L.2021, c.327; and

2) provide that a person who fails to apply for a firearm purchaser identification card or register a handgun as required by the bill would be granted 30 days to comply, after which time the person is liable to a civil penalty of \$250 for a first offense and is guilty of a disorderly persons offense for a second or subsequent offense. Under the bill as introduced, a person would not be granted the additional 30 days to comply.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 1204

STATE OF NEW JERSEY 220th LEGISLATURE

DATED: JUNE 30, 2022

SUMMARY

- Synopsis:** Requires firearm owners who become New Jersey residents to obtain firearm purchaser identification card and register handguns acquired out-of-State.
- Type of Impact:** State and local revenue increases. Potential State and local expenditure increases.
- Agencies Affected:** Department of Law and Public Safety; Municipalities.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Revenue Increase		Indeterminate	
Local Revenue Increase		Indeterminate	
Potential State Expenditure Increase		Indeterminate	
Potential Local Expenditure Increase		Indeterminate	

- The Office of Legislative Services (OLS) estimates this bill would result in an indeterminate increase in State and local revenue from firearms purchaser identification card (FPIC) application fees, and potentially State and local expenditure increases to meet the bill's requirements. The OLS does not have an estimate of the number of residents relocating to New Jersey who may require an FPIC or be required to register their handgun.
- The bill requires the Superintendent of the Division of the State Police (DSP) in the Department of Law and Public Safety to prepare the form of registration statement and provide a suitable supply of statements to each organized full-time municipal police department and each State Police station. The OLS estimates that meeting the additional requirements of this bill may not be overly labor-intensive and the DSP may be able to absorb the additional workload within their existing operating budget. Additionally, the bill may increase the Division of State Police's workload depending on the number of background checks requested.

- A person who fails to comply with the provisions of the bill is liable to a civil penalty of \$250 for a first offense and is guilty of a disorderly person's offense for a second or subsequent offense. Disorderly person offenses are adjudicated by municipal courts, in most circumstances.

BILL DESCRIPTION

This bill requires firearm owners who move to New Jersey to obtain an FPIC and register any handgun if applicable within 60 days of residing in this State.

Under current law, a person who purchases a firearm in this State is required to display an FPIC, which identifies the card holder as a person who meets the statutory qualifications to purchase a firearm in this State. A person who legally owned a firearm while residing in another state and then moves to New Jersey is not required to obtain an FPIC.

This bill requires a firearm owner who becomes a resident of this State to obtain an FPIC and, if applicable, register any handguns. In order to register the handgun, a person would be required to submit to the municipal law enforcement agency or the State Police a registration statement that provides the person's name and address and the make, model, and serial number of the handgun being registered.

A person who fails to comply with the registration provisions would be granted 30 days to comply, after which time the person is liable to a civil penalty of \$250 for a first offense and is guilty of a disorderly persons offense for a second or subsequent offense.

Under the bill, the Superintendent of State Police is required to prepare the form of registration statement and provide a suitable supply of statements to each organized full-time municipal police department and each State Police station within 60 days prior to the bill's enactment.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates this bill would result in an indeterminate increase in State and local revenue from FPIC application fees, and potentially State and local expenditure increases to meet the bill's requirements. The OLS does not have an estimate of the number of residents relocating to New Jersey who may require an FPIC or be required to register a handgun. The 2020 U.S. Census indicated that there were 9.288 million New Jersey residents as compared with the 8.791 million New Jersey residents reported during the 2010 U.S. Census, an increase of 497,100 residents over the decade.

Revenue: The OLS estimates an indeterminate increase in State and local revenue from FPIC application fees, due to requirements for firearm owners relocating to New Jersey residents to obtain an FPIC for firearms acquired out-of-State. The FPIC is a one-time fee of \$5 per person.

State Expenditures: The bill requires the Superintendent of State Police in the Department of Law and Public Safety to prepare the form of registration statement and provide a suitable supply of statements to each organized full-time municipal police department and each State Police

station. Additionally, the bill may increase the Division of State Police's workload depending on the number of background checks requested. The OLS estimates that meeting the additional requirements of this bill may not be overly labor-intensive and the DSP may be able to absorb the additional workload within their existing operating budgets.

Local Expenditures: The OLS estimates that the bill will produce indeterminate annual expenditure increases to municipalities.

The bill's establishment of disorderly persons offenses will increase the workload of the municipal courts as additional defendants will be prosecuted and tried. A person who fails to comply with the registration provisions would be granted 30 days to comply, after which time the person is liable to a civil penalty of \$250 for a first offense and is guilty of a disorderly persons offense for a second or subsequent offense. A disorderly persons offense is punishable by up to six months' imprisonment, a fine of up to \$1,000, or both. Disorderly person offenses are adjudicated by municipal courts, in most circumstances.

Section: Law and Public Safety

*Analyst: Kristin Brunner Santos
Lead Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

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

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

ASSEMBLY, No. 1179

STATE OF NEW JERSEY 220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblywoman SADAF F. JAFFER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Co-Sponsored by:

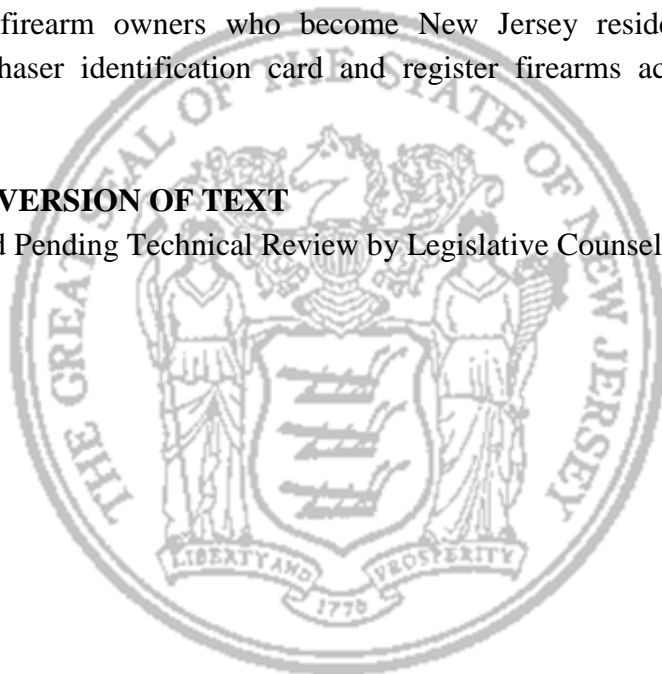
Assemblyman Tully, Assemblywoman Carter, Assemblyman Mejia, Assemblywoman Jimenez, Assemblyman McKeon, Assemblywoman McKnight, Assemblyman Atkins, Assemblywomen Reynolds-Jackson, Chaparro, Assemblymen Spearman, Wimberly, Sampson, Moen, Conaway and Moriarty

SYNOPSIS

Requires firearm owners who become New Jersey residents to obtain firearm purchaser identification card and register firearms acquired out-of-State.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



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

1 AN ACT concerning firearm ownership and amending N.J.S.2C:58-
2 3.

3

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

6

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

8 2C:58-3. a. Permit to purchase a handgun.

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

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

18 The provisions of this paragraph shall not apply if the transaction
19 is:

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

22 (b) between law enforcement officers;

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

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

30 (3) Prior to a transaction conducted pursuant to this subsection,
31 the retail dealer shall complete a National Instant Criminal
32 Background Check of the person acquiring the handgun. In
33 addition:

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

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

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

43 (d) any record produced pursuant to this subsection shall not be
44 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-
45 1 et seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

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 b. Firearms purchaser identification card.

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

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

23 The provisions of this paragraph shall not apply if the transaction
24 is:

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

27 (b) between law enforcement officers;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

46 (9) To any person named on the consolidated Terrorist Watchlist
47 maintained by the Terrorist Screening Center administered by the
48 Federal Bureau of Investigation; or

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

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

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

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

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

15 Application blanks shall be obtainable from the superintendent,
16 from any other officer authorized to grant a permit or identification
17 card, and from licensed retail dealers.

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

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

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

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

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

18 h. Form of permit; quadruplicate; disposition of copies. The
19 permit shall be in the form prescribed by the superintendent and
20 shall be issued to the applicant in quadruplicate. Prior to the time
21 he receives the handgun from the seller, the applicant shall deliver
22 to the seller the permit in quadruplicate and the seller shall
23 complete all of the information required on the form. Within five
24 days of the date of the sale, the seller shall forward the original
25 copy to the superintendent and the second copy to the chief of
26 police of the municipality in which the purchaser resides, except
27 that in a municipality having no chief of police, the copy shall be
28 forwarded to the superintendent. The third copy shall then be
29 returned to the purchaser with the pistol or revolver and the fourth
30 copy shall be kept by the seller as a permanent record.

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

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

38 (2) a collector of handguns as curios or relics as defined in Title
39 18, United States Code, section 921 (a) (13) who has in his
40 possession a valid Collector of Curios and Relics License issued by
41 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

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

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

46 (5) any transaction where the person has purchased a handgun
47 from a licensed retail dealer and has returned that handgun to the
48 dealer in exchange for another handgun within 30 days of the

1 original transaction, provided the retail dealer reports the exchange
2 transaction to the superintendent; or

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

6 The provisions of this subsection shall not be construed to afford
7 or authorize any other exemption from the regulatory provisions
8 governing firearms set forth in chapter 39 and chapter 58 of Title
9 2C of the New Jersey Statutes;

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

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

31 k. Sawed-off shotguns. Nothing in this section shall be
32 construed to authorize the purchase or possession of any sawed-off
33 shotgun.

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

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

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

7 o. Registration of firearms owned by new residents. Any
8 person who becomes a resident of this State following the effective
9 date of P.L. , c. (pending before the Legislature as this bill) and
10 who transports into this State a firearm that the person owned or
11 acquired while residing in another state shall apply for a firearm
12 purchaser identification card and register the firearm within 60 days
13 of becoming a New Jersey resident.

14 A person who registers a firearm pursuant to this subsection shall
15 complete a registration statement, which shall be in a form
16 prescribed by the superintendent. The information provided in the
17 registration statement shall include, but shall not be limited to, the
18 name and address of the person and the make, model, and serial
19 number of the firearm being registered. Each registration statement
20 shall be signed by the person, and the signature shall constitute a
21 representation of the accuracy of the information contained in the
22 registration statement.

23 The registration statement shall be submitted to the law
24 enforcement agency of the municipality in which the person resides
25 or, if the municipality does not have a municipal law enforcement
26 agency, any State Police station.

27 Within 60 days prior to the effective date of
28 P.L. , c. (pending before the Legislature as this bill), the
29 superintendent shall prepare the form of registration statement as
30 described in this subsection and shall provide a suitable supply of
31 statements to each organized full-time municipal police department
32 and each State Police station.

33 (cf: P.L.2018, c.36, s.1)

34
35 2. This act shall take effect on the first day of the seventh
36 month following the date of enactment.

37

38

39

STATEMENT

40

41 This bill requires firearm owners who move to New Jersey to
42 obtain a firearm purchaser identification card (FPIC) and register
43 their firearm within 60 days of residing in this State.

44 Under current law, a person who purchases a firearm in this State
45 is required to display an FPIC, which identifies the card holder as a
46 person who meets the statutory qualifications to purchase a firearm
47 in this State. A person who legally owned a firearm while residing

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1 in another state and then moves to New Jersey is not required to
2 obtain an FPIC.

3 This bill requires a firearm owner who becomes a resident of this
4 State to obtain an FPIC and register his or her firearm. In order to
5 register the firearm, a person would be required to submit to the
6 municipal law enforcement agency or the State Police a registration
7 statement that provides the person's name and address and the
8 make, model, and serial number of the firearm being registered.

9 Under the bill, the Superintendent of State Police is required to
10 prepare the form of registration statement and provide a suitable
11 supply of statements to each organized full-time municipal police
12 department and each State Police station within 60 days prior to the
13 bill's enactment.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 1179
STATE OF NEW JERSEY
220th LEGISLATURE

DATED: JUNE 24, 2022

SUMMARY

- Synopsis:** Requires firearm owners who become New Jersey residents to obtain firearm purchaser identification card and register firearms acquired out-of-State.
- Type of Impact:** State and local revenue increases. Potential State expenditure increase.
- Agencies Affected:** Department of Law and Public Safety; Municipalities.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Revenue Increase		Indeterminate	
Local Revenue Increase		Indeterminate	
Potential State Expenditure Increase		Indeterminate	

- The Office of Legislative Services (OLS) estimates this bill would result in an indeterminate increase in State and local revenue from firearms purchaser identification card (FPIC) application fees, and potentially a State expenditure increase to meet the bill’s requirements. The OLS does not have an estimate of the number of residents relocating to New Jersey who may require an FPIC.
- The bill requires the Superintendent of the Division of the State Police (DSP) in the Department of Law and Public Safety to prepare the form of registration statement and provide a suitable supply of statements to each organized full-time municipal police department and each State Police station. The OLS estimates that meeting the additional requirements of this bill may not be overly labor-intensive and the DSP may be able to absorb the additional workload within their existing operating budget.

BILL DESCRIPTION

This bill requires firearm owners who move to New Jersey to obtain an FPIC and register their firearm within 60 days of residing in this State.

Under current law, a person who purchases a firearm in this State is required to display an FPIC, which identifies the card holder as a person who meets the statutory qualifications to purchase a firearm in this State. A person who legally owned a firearm while residing in another state and then moves to New Jersey is not required to obtain an FPIC.

This bill requires a firearm owner who becomes a resident of this State to obtain an FPIC and register his or her firearm. In order to register the firearm, a person would be required to submit to the municipal law enforcement agency or the State Police a registration statement that provides the person's name and address and the make, model, and serial number of the firearm being registered.

Under the bill, the Superintendent of State Police is required to prepare the form of registration statement and provide a suitable supply of statements to each organized full-time municipal police department and each State Police station within 60 days prior to the bill's enactment.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates an indeterminate increase in State and local revenue from FPIC application fees, and potentially a State expenditure increase to meet the bill's requirements. The OLS does not have an estimate of the number of residents relocating to New Jersey who may require an FPIC. The 2020 U.S. Census indicated that there were 9.288 million New Jersey residents as compared with the 8.791 million New Jersey residents reported during the 2010 U.S. Census, an increase of 497,100 residents over the decade.

Revenue: The OLS estimates an indeterminate increase in State and local revenue from FPIC application fees, due to requirements for firearm owners relocating to New Jersey residents to obtain an FPIC for firearms acquired out-of-State.

Expenditures: The bill requires the Superintendent of State Police in the Department of Law and Public Safety to prepare the form of registration statement and provide a suitable supply of statements to each organized full-time municipal police department and each State Police station. The OLS estimates that meeting the additional requirements of this bill may not be overly labor-intensive and the DSP may be able to absorb the additional workload within their existing operating budgets.

Section: Law and Public Safety

Analyst: Kristin Brunner Santos
Lead Fiscal Analyst

Approved: Thomas Koenig
Legislative Budget and Finance Officer

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

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

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1179

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 22, 2022

The Assembly Judiciary Committee reports favorably Assembly Bill No. 1179, with committee amendments.

As amended by the committee, this bill requires firearm owners who move to New Jersey to obtain a firearm purchaser identification card (FPIC) and register their handguns within 60 days of residing in this State.

Under current law, a person who purchases a firearm in this State is required to display an FPIC, which identifies the card holder as a person who meets the statutory qualifications to purchase a firearm in this State. A person who legally owned a firearm while residing in another state and then moves to New Jersey is not required to obtain an FPIC. The person also is not required to register the firearm, but may do so voluntarily.

This bill, as amended, requires a firearm owner who becomes a resident of this State to apply for an FPIC within 60 days and if the firearm is a handgun, to register that handgun within 60 days. To register the handgun, the owner is required to submit to the municipal law enforcement agency or the State Police a registration statement that provides the person's name and address and the make, model, and serial number of the handgun being registered.

Under the bill as amended, the Superintendent of State Police is required to prepare the form of registration statement and provide a suitable supply of statements to each organized full-time municipal police department and each State Police station within 60 days prior to the bill's enactment.

The amended bill provides that a person who fails to apply for a firearm purchaser identification card or register a handgun as required by the amended bill is liable to a civil penalty of \$250 for a first offense and is guilty of a disorderly persons offense for a second or subsequent offense. Under the amended bill, if a person is in possession of multiple firearms or handguns in violation of the bill's provisions, the person is guilty of one offense provided the violation is a single event.

The amended bill provides that the civil penalty is to be collected pursuant to the "Penalty Enforcement Law of 1999" in a summary

proceeding before the municipal court having jurisdiction. Under the amended bill, a law enforcement officer having enforcement authority in that municipality may issue a summons for a violation and may serve and execute all process with respect to enforcement consistent with the Rules of Court.

COMMITTEE AMENDMENTS:

The committee amended the bill to provide:

1. that the registration requirement would only apply to handguns, and not to all firearms.

2. that a person who fails to apply for an FPIC or register a handgun would be liable to a civil penalty of \$250 for a first offense and be guilty of a disorderly persons offense for a second or subsequent offense.

3. that if a person is in possession of multiple firearms or handguns in violation of the bill, the person would be guilty of one offense provided the violation is a single event.

4. that the civil penalty is to be collected pursuant to the "Penalty Enforcement Law of 1999" in a summary proceeding before the municipal court.

5. that a law enforcement officer may issue a summons for a violation, and may serve and execute all process with respect to the enforcement consistent with the Rules of Court.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1179

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 23, 2022

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 1179.

As amended and reported by the committee, this bill requires firearm owners who move to New Jersey to obtain a firearm purchaser identification card (FPIC) and register their handguns within 60 days of residing in this State.

Under current law, a person who purchases a firearm in this State is required to display an FPIC, which identifies the card holder as a person who meets the statutory qualifications to purchase a firearm in this State. A person who legally owned a firearm while residing in another state and then moves to New Jersey is not required to obtain an FPIC. The person also is not required to register the firearm, but may do so voluntarily.

This bill requires a firearm owner who becomes a resident of this State to apply for an FPIC within 60 days and if the firearm is a handgun, to register that handgun within 60 days. To register the handgun, the owner is required to submit to the municipal law enforcement agency or the State Police a registration statement that provides the person's name and address and the make, model, and serial number of the handgun being registered.

Under the bill, the Superintendent of State Police is required to prepare the form of registration statement and provide a suitable supply of statements to each organized full-time municipal police department and each State Police station within 60 days prior to the bill's enactment.

The bill, as amended, provides that a person who fails to apply for a firearm purchaser identification card or register a handgun as required by the bill will be granted 30 days to comply with the bill's provisions, after which time the person is liable to a civil penalty of \$250 for a first offense and is guilty of a disorderly persons offense for a second or subsequent offense. Under the bill, if a person is in possession of multiple firearms or handguns in violation of the bill's provisions, the person is guilty of one offense provided the violation is a single event.

The bill provides that the civil penalty is to be collected pursuant to the "Penalty Enforcement Law of 1999" in a summary proceeding before the municipal court having jurisdiction. Under the amended bill, a law enforcement officer having enforcement authority in that municipality may issue a summons for a violation and may serve and execute all process with respect to enforcement consistent with the Rules of Court.

COMMITTEE AMENDMENTS:

The committee amended the bill to provide that a person who fails to comply with the registration provisions would be granted 30 days to comply, after which time the person is liable to a civil penalty of \$250 for a first offense and is guilty of a disorderly persons offense for a second or subsequent offense. Under the bill as introduced, a person would not be granted the additional 30 days to comply.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 1179

STATE OF NEW JERSEY 220th LEGISLATURE

DATED: JUNE 30, 2022

SUMMARY

- Synopsis:** Requires firearm owners who become New Jersey residents to obtain firearm purchaser identification card and register handguns acquired out-of-State.
- Type of Impact:** State and local revenue increases. Potential State and local expenditure increases.
- Agencies Affected:** Department of Law and Public Safety; Municipalities.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Revenue Increase		Indeterminate	
Local Revenue Increase		Indeterminate	
Potential State Expenditure Increase		Indeterminate	
Potential Local Expenditure Increase		Indeterminate	

- The Office of Legislative Services (OLS) estimates this bill would result in an indeterminate increase in State and local revenue from firearms purchaser identification card (FPIC) application fees, and potentially State and local expenditure increases to meet the bill's requirements. The OLS does not have an estimate of the number of residents relocating to New Jersey who may require an FPIC or be required to register their handgun.
- The bill requires the Superintendent of the Division of the State Police (DSP) in the Department of Law and Public Safety to prepare the form of registration statement and provide a suitable supply of statements to each organized full-time municipal police department and each State Police station. The OLS estimates that meeting the additional requirements of this bill may not be overly labor-intensive and the DSP may be able to absorb the additional workload within their existing operating budget. Additionally, the bill may increase the Division of State Police's workload depending on the number of background checks requested.

- A person who fails to comply with the provisions of the bill is liable to a civil penalty of \$250 for a first offense and is guilty of a disorderly person's offense for a second or subsequent offense. Disorderly person offenses are adjudicated by municipal courts, in most circumstances.

BILL DESCRIPTION

This bill requires firearm owners who move to New Jersey to obtain an FPIC and register any handgun if applicable within 60 days of residing in this State.

Under current law, a person who purchases a firearm in this State is required to display an FPIC, which identifies the card holder as a person who meets the statutory qualifications to purchase a firearm in this State. A person who legally owned a firearm while residing in another state and then moves to New Jersey is not required to obtain an FPIC.

This bill requires a firearm owner who becomes a resident of this State to obtain an FPIC and, if applicable, register any handguns. In order to register the handgun, a person would be required to submit to the municipal law enforcement agency or the State Police a registration statement that provides the person's name and address and the make, model, and serial number of the handgun being registered.

A person who fails to comply with the registration provisions would be granted 30 days to comply, after which time the person is liable to a civil penalty of \$250 for a first offense and is guilty of a disorderly persons offense for a second or subsequent offense.

Under the bill, the Superintendent of State Police is required to prepare the form of registration statement and provide a suitable supply of statements to each organized full-time municipal police department and each State Police station within 60 days prior to the bill's enactment.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates this bill would result in an indeterminate increase in State and local revenue from FPIC application fees, and potentially State and local expenditure increases to meet the bill's requirements. The OLS does not have an estimate of the number of residents relocating to New Jersey who may require an FPIC or be required to register a handgun. The 2020 U.S. Census indicated that there were 9.288 million New Jersey residents as compared with the 8.791 million New Jersey residents reported during the 2010 U.S. Census, an increase of 497,100 residents over the decade.

Revenue: The OLS estimates an indeterminate increase in State and local revenue from FPIC application fees, due to requirements for firearm owners relocating to New Jersey residents to obtain an FPIC for firearms acquired out-of-State. The FPIC is a one-time fee of \$5 per person.

State Expenditures: The bill requires the Superintendent of State Police in the Department of Law and Public Safety to prepare the form of registration statement and provide a suitable supply of statements to each organized full-time municipal police department and each State Police

station. Additionally, the bill may increase the Division of State Police's workload depending on the number of background checks requested. The OLS estimates that meeting the additional requirements of this bill may not be overly labor-intensive and the DSP may be able to absorb the additional workload within their existing operating budgets.

Local Expenditures: The OLS estimates that the bill will produce indeterminate annual expenditure increases to municipalities.

The bill's establishment of disorderly persons offenses will increase the workload of the municipal courts as additional defendants will be prosecuted and tried. A person who fails to comply with the registration provisions would be granted 30 days to comply, after which time the person is liable to a civil penalty of \$250 for a first offense and is guilty of a disorderly persons offense for a second or subsequent offense. A disorderly persons offense is punishable by up to six months' imprisonment, a fine of up to \$1,000, or both. Disorderly person offenses are adjudicated by municipal courts, in most circumstances.

Section: Law and Public Safety

*Analyst: Kristin Brunner Santos
Lead Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

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

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

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

07/5/2022

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

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

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

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

The seven gun safety reform bills include:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Governor Murphy Delivers Remarks on Gun Safety Package 3.0

07/5/2022

Remarks as Prepared for Delivery

Good morning, everyone.

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

State Police Superintendent Colonel Pat Callahan ...

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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