

2C:58-2.13 to 2C:58-2.15; Note to 52:17B-4.4a

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2022 **CHAPTER:** 57

NJSA: 2C:58-2.13 to 2C:58-2.15; Note to 52:17B-4.4a
(Requires firearm retailers to sell microstamping-enabled firearms upon determination of availability by AG.)

BILL NO: A4368 (Substituted for S2907 (1R))

SPONSOR(S) Louis D. Greenwald and others

DATE INTRODUCED: 6/20/2022

COMMITTEE: **ASSEMBLY:** Judiciary
Appropriations

SENATE: ---

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

A4368

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

S2907 (1R)

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

COMMITTEE STATEMENT: ASSEMBLY: No

SENATE: Yes

(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

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

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

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

end

§§1-3
C.2C:58-2.13
to 2C:58-2.15
and Note to
C.52:17B-4.4a
§4
C.52:17B-4.4a

P.L. 2022, CHAPTER 57, *approved July 5, 2022*
Assembly, No. 4368 (*First Reprint*)

1 AN ACT concerning microstamping-enabled firearms, and
2 supplementing Title 2C of the New Jersey Statutes and Title 52
3 of the Revised Statutes.
4

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

7
8 1. a. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 “Microstamp” means a unique alphanumeric or geometric code
11 that identifies the make, model, and serial number of a firearm.

12 “Microstamp roster” means the roster of firearms that have been
13 designated as microstamping-enabled firearms, pursuant to section
14 2 of P.L. , c. (C.) (pending before the Legislature as this
15 bill).

16 “Microstamping component” means a component of a firearm
17 that will produce a microstamp on at least one location of the
18 expended cartridge case each time the firearm is fired.

19 “Microstamping-enabled firearm” means a firearm that contains
20 a microstamping component.

21 b. (1) Within 180 days of the date of enactment of P.L. ,
22 c. (C.) (pending before the Legislature as this bill), the
23 Attorney General or a designee shall: establish performance
24 standards and qualifying criteria for determining whether a firearm
25 constitutes a microstamping-enabled firearm; establish a process by
26 which to determine whether a firearm constitutes a microstamping-
27 enabled firearm; and complete the investigation required pursuant
28 to paragraph (2) of this subsection.

29 (2) Based on the standards, criteria, and process established
30 pursuant to paragraph (1) of this subsection, the Attorney General
31 shall complete an investigation concerning the technological
32 viability of microstamping-enabled firearms. The investigation shall
33 include, but need not be limited to, live-fire testing evidence. At the

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AJU committee amendments adopted June 23, 2022.

1 conclusion of the investigation, the Attorney General shall certify
2 whether viable microstamping-enabled technology exists. If the
3 Attorney General certifies that the technology does not exist, the
4 microstamping examiner designated pursuant to subsection c. of
5 this section shall examine firearms submitted pursuant to subsection
6 e. of this section and make technological viability certification
7 recommendations to the Attorney General until such time as the
8 Attorney General certifies that microstamping-enabled firearms are
9 technologically viable.

10 c. The Attorney General or a designee shall designate a
11 microstamping examiner. The examiner shall examine firearms
12 submitted pursuant to subsection e. of this section in a manner
13 proscribed by the Attorney General and shall:

14 (1) make microstamping-enabled technology viability
15 recommendations, pursuant to subsection b. of this section;

16 (2) following certification by the Attorney General that
17 microstamping-enabled firearms are technologically viable,
18 determine whether a firearm meets the performance standards and
19 qualifying criteria established by the Attorney General to be
20 designated as a microstamping-enabled firearm.

21 d. Upon designation of the first microstamping-enabled
22 firearm, the examiner shall create a microstamp roster, which shall
23 include each firearm so designated. The roster shall be updated as
24 necessary and shall be published on a website maintained by the
25 New Jersey State Police. A copy of the roster shall be made
26 available every six months to licensed retail firearms dealers in this
27 State.

28 e. Any person seeking to include a firearm on the
29 microstamping roster may apply to the microstamping examiner for
30 a determination of whether the make and model of firearm proposed
31 by the applicant may be designated as a microstamping-enabled
32 firearm.

33 f. If one or more firearms are included on the microstamp
34 roster, the Attorney General shall determine the commercial
35 availability of microstamping-enabled firearms. Upon certification
36 that microstamping-enabled firearms are commercially available,
37 each licensed retail dealer of firearms shall:

38 (1) make available for purchase at least one firearm included on
39 the roster and display the firearm in a conspicuous manner that
40 makes it easily visible to customers and distinguishable from
41 traditional firearms;

42 (2) post in one or more locations in the licensed retail dealer's
43 place or places of business in a conspicuous manner that makes
44 them easily visible and accessible to customers:

45 (a) copies of the microstamp roster; and

46 (b) a sign that includes a clear and conspicuous statement
47 disclosing the features of microstamping-enabled firearms that are

1 not offered by traditional firearms and advising customers that such
2 firearms may be purchased through the licensed retail dealer;

3 (3) accept and process orders to enable customers to purchase
4 through the licensed retail dealer any firearms included on the
5 microstamp roster;

6 (4) refrain from claiming that any firearm is a microstamping-
7 enabled firearm if that firearm is not included on the microstamp
8 roster; and

9 (5) in the event that the licensed retail dealer's inventory of
10 firearms included on the microstamp roster is depleted:

11 (a) place an order for at least one firearm on the microstamp
12 roster within 21 days of the sale of the last firearm on the
13 microstamp roster;

14 (b) maintain written records of the licensed retail dealer's efforts
15 to place an order and maintain those records on the premises and
16 allow them to be open for inspection at all times; and

17 (c) post a sign on the premises indicating that microstamping-
18 enabled firearms are sold routinely on the licensed retail dealer's
19 premises and will soon be available for purchase.

20 g. If at least one firearm is listed on the microstamp roster, the
21 Superintendent of State Police shall designate officers to inspect the
22 microstamping-enabled firearm inventory and records of all
23 licensed retail dealers of firearms to determine whether a licensed
24 retail dealer is in compliance with the provisions of subsection f. of
25 this section. The inspections shall be conducted at least once every
26 two years at any time during the normal business hours of the
27 licensed retail dealer's place of business.

28

29 2. a. A licensed retail dealer who violates section 1 of
30 P.L. , c. (C.) (pending before the Legislature as this bill)
31 shall be subject to the following penalties:

32 (1) for a first offense, a fine of up to \$500;

33 (2) for a second offense, a fine of up to \$1,000; or

34 (3) for a third or subsequent offense, a six-month license
35 suspension following notice to the licensed retail dealer and
36 opportunity to be heard.

37 b. Any person who, without license or privilege to do so,
38 willfully removes, damages, alters, or otherwise tampers with a
39 microstamping enabled firearm to prevent or alter the production of
40 a microstamp shall be guilty of a third degree crime.

41 For the purposes of this subsection, tampering with a
42 microstamping component shall not include: replacing a firing pin
43 when the pin is damaged or otherwise in need of replacement for
44 the safe use of the firearm; or replacing a firing pin for a legitimate
45 sporting purpose, provided that the firearm remains a
46 microstamping-enabled firearm.

1 ¹3. a. A person who purchases a microstamping-enabled
2 firearm pursuant to section 1 of P.L. , c. (C.) (pending
3 before the Legislature as this bill) from a licensed retail dealer shall
4 be eligible for an instant rebate of 10 percent of the purchase price
5 up to a maximum of \$30. The licensed retail dealer shall deduct the
6 rebate amount from the price of the microstamping enabled firearm
7 at the point of sale.

8 b. The Superintendent of State Police, in conjunction with the
9 Attorney General, may adopt guidelines in accordance with the
10 Administrative Procedure Act, P.L.1968, c.410 (C.52:14B-1 et
11 seq.), to effectuate the purposes of this section.

12 In addition, the superintendent shall prepare and deliver to each
13 licensed retail dealer in the State the forms necessary to record and
14 report participation in the rebate program established in this section.
15 The form shall be in duplicate and set forth: the name, address,
16 telephone number, State tax number, and State license number of
17 the licensed retail dealer; the name of the purchaser and the
18 purchaser's firearms purchaser identification card number or permit
19 to purchase a handgun number; the make and model number of the
20 microstamping-enabled firearm purchased; and the date of sale.
21 One copy shall be retained by the retail dealer for the retail dealer's
22 records. The other shall be submitted to the Attorney General for
23 reimbursement. The reimbursement copies shall be submitted
24 monthly at a time prescribed by the superintendent. The submitting
25 retail dealer shall be entitled to a reimbursement of 10 percent of
26 the purchase price of the microstamping-enabled firearm up to a
27 maximum of \$30 as part of the rebate program. To help defray any
28 administrative costs, each participating retail dealer shall receive, in
29 addition to the reimbursement, \$0.50 for each valid reimbursement
30 copy submitted.

31 The superintendent also shall provide each licensed retail dealer
32 with a sign to be prominently displayed at a conspicuous place on
33 the dealer's business premises where firearms are offered for sale.
34 The sign shall state substantially the following:

35
36 "MICROSTAMPING-ENABLED FIREARMS REBATE
37 PROGRAM. TO ENCOURAGE NEW JERSEY GUN OWNERS
38 TO PURCHASE MICROSTAMPING-ENABLED FIREARMS,
39 THE STATE IS OFFERING AN INSTANT REBATE WHEN
40 YOU PURCHASE A MICROSTAMPING-ENABLED FIREARM.
41 THE REBATE AMOUNT IS 10 PERCENT OF THE PURCHASE
42 PRICE UP TO A MAXIMUM OF \$30."¹

43
44 ¹[3.] 4.¹ a. There is created in the Department of the Treasury a
45 nonlapsing fund entitled the "Microstamp Fund." The fund shall be
46 the depository for any State appropriations or other monies
47 provided for the purchase of microstamping-enabled firearms by

1 law enforcement agencies. The fund shall be administered by the
2 State Treasurer.

3 b. Funds within the Microstamp Fund may be used to purchase
4 firearms on the microstamp roster for the New Jersey State Police
5 or any municipal police department or force.

6 c. Any municipality which has a police department or force
7 may apply to the Attorney General or a designee for a grant to
8 purchase firearms on the microstamp roster. Application shall be
9 made in a manner prescribed by the Attorney General and shall
10 include information on the intended use and estimated cost of the
11 firearms request. The Attorney General or a designee shall select
12 grant recipients. Any funds awarded shall be used within one year
13 of receipt or the funds shall be returned.

14

15 ¹[4.] 5.¹ This act shall take effect immediately.

16

17

18

19

20 _____
21 Requires firearm retailers to sell microstamping-enabled firearms
upon determination of availability by AG.

ASSEMBLY, No. 4368

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 20, 2022

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

SYNOPSIS

Requires firearm retailers to sell microstamping-enabled firearms upon determination of availability by AG.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning microstamping-enabled firearms, and
2 supplementing Title 2C of the New Jersey Statutes and Title 52 of
3 the Revised Statutes.

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

7
8 1. a. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 “Microstamp” means a unique alphanumeric or geometric code
11 that identifies the make, model, and serial number of a firearm.

12 “Microstamp roster” means the roster of firearms that have been
13 designated as microstamping-enabled firearms, pursuant to section 2
14 of P.L. , c. (C.) (pending before the Legislature as this bill).

15 “Microstamping component” means a component of a firearm that
16 will produce a microstamp on at least one location of the expended
17 cartridge case each time the firearm is fired.

18 “Microstamping-enabled firearm” means a firearm that contains a
19 microstamping component.

20 b. (1) Within 180 days of the date of enactment of
21 P.L. , c. (C.) (pending before the Legislature as this bill),
22 the Attorney General or a designee shall: establish performance
23 standards and qualifying criteria for determining whether a firearm
24 constitutes a microstamping-enabled firearm; establish a process by
25 which to determine whether a firearm constitutes a microstamping-
26 enabled firearm; and complete the investigation required pursuant to
27 paragraph (2) of this subsection.

28 (2) Based on the standards, criteria, and process established
29 pursuant to paragraph (1) of this subsection, the Attorney General
30 shall complete an investigation concerning the technological viability
31 of microstamping-enabled firearms. The investigation shall include,
32 but need not be limited to, live-fire testing evidence. At the
33 conclusion of the investigation, the Attorney General shall certify
34 whether viable microstamping-enabled technology exists. If the
35 Attorney General certifies that the technology does not exist, the
36 microstamping examiner designated pursuant to subsection c. of this
37 section shall examine firearms submitted pursuant to subsection e. of
38 this section and make technological viability certification
39 recommendations to the Attorney General until such time as the
40 Attorney General certifies that microstamping-enabled firearms are
41 technologically viable.

42 c. The Attorney General or a designee shall designate a
43 microstamping examiner. The examiner shall examine firearms
44 submitted pursuant to subsection e. of this section in a manner
45 proscribed by the Attorney General and shall:

46 (1) make microstamping-enabled technology viability
47 recommendations, pursuant to subsection b. of this section;

1 (2) following certification by the Attorney General that
2 microstamping-enabled firearms are technologically viable,
3 determine whether a firearm meets the performance standards and
4 qualifying criteria established by the Attorney General to be
5 designated as a microstamping-enabled firearm.

6 d. Upon designation of the first microstamping-enabled firearm,
7 the examiner shall create a microstamp roster, which shall include
8 each firearm so designated. The roster shall be updated as necessary
9 and shall be published on a website maintained by the New Jersey
10 State Police. A copy of the roster shall be made available every six
11 months to licensed retail firearms dealers in this State.

12 e. Any person seeking to include a firearm on the microstamping
13 roster may apply to the microstamping examiner for a determination
14 of whether the make and model of firearm proposed by the applicant
15 may be designated as a microstamping-enabled firearm.

16 f. If one or more firearms are included on the microstamp roster,
17 the Attorney General shall determine the commercial availability of
18 microstamping-enabled firearms. Upon certification that
19 microstamping-enabled firearms are commercially available, each
20 licensed retail dealer of firearms shall:

21 (1) make available for purchase at least one firearm included on
22 the roster and display the firearm in a conspicuous manner that makes
23 it easily visible to customers and distinguishable from traditional
24 firearms;

25 (2) post in one or more locations in the licensed retail dealer's
26 place or places of business in a conspicuous manner that makes them
27 easily visible and accessible to customers:

28 (a) copies of the microstamp roster; and

29 (b) a sign that includes a clear and conspicuous statement
30 disclosing the features of microstamping-enabled firearms that are
31 not offered by traditional firearms and advising customers that such
32 firearms may be purchased through the licensed retail dealer;

33 (3) accept and process orders to enable customers to purchase
34 through the licensed retail dealer any firearms included on the
35 microstamp roster;

36 (4) refrain from claiming that any firearm is a microstamping-
37 enabled firearm if that firearm is not included on the microstamp
38 roster; and

39 (5) in the event that the licensed retail dealer's inventory of
40 firearms included on the microstamp roster is depleted:

41 (a) place an order for at least one firearm on the microstamp
42 roster within 21 days of the sale of the last firearm on the microstamp
43 roster;

44 (b) maintain written records of the licensed retail dealer's efforts
45 to place an order and maintain those records on the premises and
46 allow them to be open for inspection at all times; and

1 (c) post a sign on the premises indicating that microstamping-
2 enabled firearms are sold routinely on the licensed retail dealer's
3 premises and will soon be available for purchase.

4 g. If at least one firearm is listed on the microstamp roster, the
5 Superintendent of State Police shall designate officers to inspect the
6 microstamping-enabled firearm inventory and records of all licensed
7 retail dealers of firearms to determine whether a licensed retail dealer
8 is in compliance with the provisions of subsection f. of this section.
9 The inspections shall be conducted at least once every two years at
10 any time during the normal business hours of the licensed retail
11 dealer's place of business.

12

13 2. a. A licensed retail dealer who violates section 1 of P.L. , c.
14 (C.) (pending before the Legislature as this bill) shall be subject
15 to the following penalties:

16 (1) for a first offense, a fine of up to \$500;

17 (2) for a second offense, a fine of up to \$1,000; or

18 (3) for a third or subsequent offense, a six-month license
19 suspension following notice to the licensed retail dealer and
20 opportunity to be heard.

21 b. Any person who, without license or privilege to do so,
22 willfully removes, damages, alters, or otherwise tampers with a
23 microstamping enabled firearm to prevent or alter the production of
24 a microstamp shall be guilty of a third degree crime.

25 For the purposes of this subsection, tampering with a
26 microstamping component shall not include: replacing a firing pin
27 when the pin is damaged or otherwise in need of replacement for the
28 safe use of the firearm; or replacing a firing pin for a legitimate
29 sporting purpose, provided that the firearm remains a microstamping-
30 enabled firearm.

31

32 3. a. There is created in the Department of the Treasury a
33 nonlapsing fund entitled the "Microstamp Fund." The fund shall be
34 the depository for any State appropriations or other monies provided
35 for the purchase of microstamping-enabled firearms by law
36 enforcement agencies. The fund shall be administered by the State
37 Treasurer.

38 b. Funds within the Microstamp Fund may be used to purchase
39 firearms on the microstamp roster for the New Jersey State Police or
40 any municipal police department or force.

41 c. Any municipality which has a police department or force may
42 apply to the Attorney General or a designee for a grant to purchase
43 firearms on the microstamp roster. Application shall be made in a
44 manner prescribed by the Attorney General and shall include
45 information on the intended use and estimated cost of the firearms
46 request. The Attorney General or a designee shall select grant

1 recipients. Any funds awarded shall be used within one year of
2 receipt or the funds shall be returned.

3

4 4. This act shall take effect immediately.

5

6

7

STATEMENT

8

9 This bill requires licensed retail dealers of firearms to sell
10 microstamping-enabled firearms when the Attorney General
11 determines they are commercially available.

12 Under the bill, the Attorney General is required to:

13 (1) establish performance standards and qualifying criteria for
14 determining whether a firearm constitutes a microstamping-enabled
15 firearm;

16 (2) establish a process by which to determine whether a firearm
17 constitutes a microstamping-enabled firearm; and

18 (3) complete an investigation as to whether microstamping-
19 enabled firearms technology currently is viable.

20 The bill requires the Attorney General to designate a
21 microstamping examiner, whose duties include examining firearms
22 submitted by applicants to determine whether a firearm meets the
23 performance standards and qualifying criteria established by the
24 Attorney General to be designated as a microstamping-enabled
25 firearm. Additionally, if the Attorney General determines after the
26 initial investigation that microstamping technology is not yet viable,
27 the examiner would be required to examine submitted firearms and
28 make recommendations to the Attorney General as to technological
29 viability until the Attorney General certifies that the technology is
30 viable. Upon designation of the first microstamping-enabled firearm,
31 the examiner would be required to create a microstamp roster.

32 The bill provides that the roster would be published on a website
33 maintained by the New Jersey State Police and updated as necessary.
34 A copy of the roster would be made available every six months to
35 licensed retail dealers of firearms in this State.

36 Upon the inclusion of one or more firearms on the roster, the bill
37 requires the Attorney General to determine the commercial
38 availability of microstamping-enabled firearms. When it is
39 determined that microstamping-enabled firearms are commercially
40 available, each licensed retail dealer of firearms in the State would
41 be required to:

42 (1) make available for purchase at least one firearm included on
43 the roster and display the firearm in a conspicuous manner;

44 (2) post copies of the roster and signage concerning features of
45 microstamping-enabled firearms;

46 (3) accept and process orders to enable customers to purchase any
47 firearms included on the roster;

1 (4) refrain from claiming that any firearm is a microstamping-
2 enabled firearm if that firearm is not included on the roster; and

3 (5) in the event that the licensed retail dealer's inventory of
4 microstamping-enabled firearms is depleted, order new stock,
5 maintain order records, and notify customers of the typical
6 availability of microstamping-enabled firearms. The records would
7 be subject to inspection by State Police investigators.

8 Under the bill, a licensed retail dealer who violates the bill's
9 provisions would be subject to the following penalties:

10 (1) for a first offense, a fine of up to \$500;

11 (2) for a second offense, a fine of up to \$1,000;

12 (3) for a third or subsequent offense, a six-month license
13 suspension following notice to the licensed retail dealer and
14 opportunity to be heard.

15 The bill additionally provides that any person who, without license
16 or privilege to do so, tampers or attempts to tamper with a
17 microstamping enabled firearm by intentionally interfering with the
18 microstamping component technology would be guilty of a third
19 degree crime.

20 The bill defines "microstamp" as a unique alphanumeric or
21 geometric code that identifies the make, model, and serial number of
22 a firearm. "Microstamping component" is defined as a component
23 part of a firearm that will produce a microstamp on at least one
24 location of the expended cartridge case each time the firearm is fired.
25 "Microstamping-enabled firearm" is defined as a firearm that
26 contains a microstamping component.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4368

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 22, 2022

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 4368.

As amended and reported by the committee, the bill requires licensed retail dealers of firearms to sell microstamping-enabled firearms when the Attorney General determines they are commercially available.

Under the bill, the Attorney General is required to:

(1) establish performance standards and qualifying criteria for determining whether a firearm constitutes a microstamping-enabled firearm;

(2) establish a process by which to determine whether a firearm constitutes a microstamping-enabled firearm; and

(3) complete an investigation as to whether microstamping-enabled firearms technology currently is viable.

The bill requires the Attorney General to designate a microstamping examiner, whose duties include examining firearms submitted by applicants to determine whether a firearm meets the performance standards and qualifying criteria established by the Attorney General to be designated as a microstamping-enabled firearm. Additionally, if the Attorney General determines after the initial investigation that microstamping technology is not yet viable, the examiner is required to examine submitted firearms and make recommendations to the Attorney General as to technological viability until the Attorney General certifies that the technology is viable. When the first microstamping-enabled firearm is designated, the examiner is required to create a microstamp roster.

The bill requires the roster to be published on a website maintained by the New Jersey State Police and updated as necessary. A copy of the roster would be made available every six months to licensed retail dealers of firearms in this State.

When a firearm is included on the roster, the bill requires the Attorney General to determine the commercial availability of microstamping-enabled firearms. When it is determined that microstamping-enabled firearms are commercially available, each licensed retail dealer of firearms in the State would be required to:

(1) make available for purchase at least one firearm included on the roster and display the firearm in a conspicuous manner;

(2) post copies of the roster and signage concerning features of microstamping-enabled firearms;

(3) accept and process orders to enable customers to purchase any firearms included on the roster;

(4) refrain from claiming that any firearm is a microstamping-enabled firearm if that firearm is not included on the roster; and

(5) in the event that the licensed retail dealer's inventory of microstamping-enabled firearms is depleted, order new stock, maintain order records, and notify customers of the typical availability of microstamping-enabled firearms. The records would be subject to inspection by State Police investigators.

Under the bill, a licensed retail dealer who violates the bill's provisions would be subject to the following penalties:

(1) for a first offense, a fine of up to \$500;

(2) for a second offense, a fine of up to \$1,000;

(3) for a third or subsequent offense, a six-month license suspension following notice to the licensed retail dealer and opportunity to be heard.

The amended bill also establishes an instant rebate program for purchases of microstamping-enabled firearms from licensed retail dealers. Under the bill, a purchaser would be entitled to an instant rebate at the point of sale of 10 percent of the purchase price up to a maximum of \$30. The licensed retail dealer would be reimbursed by the State for each rebate provided under the program.

The bill additionally provides that any person who, without license or privilege to do so, tampers or attempts to tamper with a microstamping enabled firearm by intentionally interfering with the microstamping component technology would be guilty of a third degree crime.

The bill defines "microstamp" as a unique alphanumeric or geometric code that identifies the make, model, and serial number of a firearm. "Microstamping component" is defined as a component part of a firearm that will produce a microstamp on at least one location of the expended cartridge case each time the firearm is fired. "Microstamping-enabled firearm" is defined as a firearm that contains a microstamping component.

COMMITTEE AMENDMENTS

The committee amendments establish an instant rebate program for purchases of microstamping-enabled firearms from licensed retail dealers. Under the amendments, a purchaser would be entitled to an instant rebate at the point of sale of 10 percent of the purchase price up to a maximum of \$30. The licensed retail dealer would be reimbursed by the State for each rebate provided under the program.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 4368

STATE OF NEW JERSEY

DATED: JUNE 23, 2022

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4368 (1R).

The bill requires licensed retail dealers of firearms to sell microstamping-enabled firearms when the Attorney General determines they are commercially available.

Under the bill, the Attorney General is required to:

(1) establish performance standards and qualifying criteria for determining whether a firearm constitutes a microstamping-enabled firearm;

(2) establish a process by which to determine whether a firearm constitutes a microstamping-enabled firearm; and

(3) complete an investigation as to whether microstamping-enabled firearms technology currently is viable.

The bill requires the Attorney General to designate a microstamping examiner, whose duties include examining firearms submitted by applicants to determine whether a firearm meets the performance standards and qualifying criteria established by the Attorney General to be designated as a microstamping-enabled firearm. Additionally, if the Attorney General determines after the initial investigation that microstamping technology is not yet viable, the examiner is required to examine submitted firearms and make recommendations to the Attorney General as to technological viability until the Attorney General certifies that the technology is viable. When the first microstamping-enabled firearm is designated, the examiner is required to create a microstamp roster.

The bill requires the roster to be published on a website maintained by the New Jersey State Police and updated as necessary. A copy of the roster would be made available every six months to licensed retail dealers of firearms in this State.

When a firearm is included on the roster, the bill requires the Attorney General to determine the commercial availability of microstamping-enabled firearms. When it is determined that microstamping-enabled firearms are commercially available, each licensed retail dealer of firearms in the State would be required to:

(1) make available for purchase at least one firearm included on the roster and display the firearm in a conspicuous manner;

(2) post copies of the roster and signage concerning features of microstamping-enabled firearms;

(3) accept and process orders to enable customers to purchase any firearms included on the roster;

(4) refrain from claiming that any firearm is a microstamping-enabled firearm if that firearm is not included on the roster; and

(5) in the event that the licensed retail dealer's inventory of microstamping-enabled firearms is depleted, order new stock, maintain order records, and notify customers of the typical availability of microstamping-enabled firearms. The records would be subject to inspection by State Police investigators.

Under the bill, a licensed retail dealer who violates the bill's provisions would be subject to the following penalties:

(1) for a first offense, a fine of up to \$500;

(2) for a second offense, a fine of up to \$1,000;

(3) for a third or subsequent offense, a six-month license suspension following notice to the licensed retail dealer and opportunity to be heard.

The bill also establishes an instant rebate program for purchases of microstamping-enabled firearms from licensed retail dealers. Under the bill, a purchaser would be entitled to an instant rebate at the point of sale of 10 percent of the purchase price up to a maximum of \$30. The licensed retail dealer would be reimbursed by the State for each rebate provided under the program.

The bill additionally provides that any person who, without license or privilege to do so, tampers or attempts to tamper with a microstamping enabled firearm by intentionally interfering with the microstamping component technology would be guilty of a third degree crime.

The bill defines "microstamp" as a unique alphanumeric or geometric code that identifies the make, model, and serial number of a firearm. "Microstamping component" is defined as a component part of a firearm that will produce a microstamp on at least one location of the expended cartridge case each time the firearm is fired. "Microstamping-enabled firearm" is defined as a firearm that contains a microstamping component.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 4368

STATE OF NEW JERSEY 220th LEGISLATURE

DATED: JUNE 30, 2022

SUMMARY

- Synopsis:** Requires firearm retailers to sell microstamping-enabled firearms upon determination of availability by AG.
- Type of Impact:** Annual State expenditure and revenue increases. Annual local revenue and expenditure increases.
- Agencies Affected:** Department of Law and Public Safety; The Judiciary; Department of Corrections; Office of the Public Defender; State Parole Board; local law enforcement agencies.

Office of Legislative Services Estimate

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

- The Office of Legislative Services (OLS) determines the bill will result in an indeterminate annual increase in State expenditures and revenues; however, due to the current state of microstamping technology, the OLS lacks sufficient information to quantify the fiscal impact or the timing of when the technology will be available. Additionally, the OLS lacks sufficient information in regard to the potential violations of the provisions of the bill to quantify the fiscal impact, as it is not possible to know how many individuals will be prosecuted, tried, and sentenced for the penalties and crimes established by the bill. Pursuant to the bill, once the program is established, a State instant rebate program will be funded to encourage purchasers to buy microstamping-enabled firearms.
- The Department of Law and Public Safety (DLPS) will incur indeterminate annual cost increases to: 1) evaluate the viability of microstamping; 2) establish certain guidelines related to microstamping; 3) employ a microstamping examiner; and 4) regulate and enforce provisions related to licensed retail dealers.

- The bill creates a Microstamp Fund for State and local law enforcement agencies to utilize for the purchase of microstamping-enabled firearms.
- The bill establishes an instant rebate for purchases of microstamping-enabled firearms from licensed dealers for up to a maximum of \$30. The licensed retail dealer would be reimbursed by the State for each rebate provided under the program.
- The bill establishes certain fines and penalties for violations, including a penalty of the third degree, which is punishable by three to five years imprisonment, a fine of up to \$15,000, or both.

BILL DESCRIPTION

This bill requires licensed retail dealers of firearms to sell microstamping-enabled firearms when the Attorney General determines these firearms are commercially available.

Under the bill, the Attorney General is required to:

- establish performance standards and qualifying criteria for determining whether a firearm constitutes a microstamping-enabled firearm;
- establish a process by which to determine whether a firearm constitutes a microstamping-enabled firearm;
- complete an investigation as to whether microstamping enabled firearms technology currently is viable; and
- designate a microstamping examiner to examine firearms submitted by applicants to determine whether a firearm meets certain standards and criteria established by the Attorney General, or if microstamping technology is not yet viable, the examiner would be required to examine submitted firearms and make certain recommendations to the Attorney General. Additionally, the examiner would be required to create, update, and regularly distribute a microstamping enabled firearm roster to be published on a website maintained by the Division of State Police and updated as necessary.

The bill imposes on firearm retail dealers in the State certain requirements related to microstamping once it is determined that microstamping-enabled firearms are commercially available.

The bill establishes certain offenses and penalties as follows:

- A licensed retail dealer who violates the bill's provisions would be subject to the following penalties: (1) for a first offense, a fine of up to \$500; (2) for a second offense, a fine of up to \$1,000; (3) for a third or subsequent offense, a six-month license suspension following notice to the licensed retail dealer and opportunity to be heard; and
- A person who damages or removes the microstamping-enabled component would be guilty of a third degree crime, which is punishable by three to five years imprisonment, a fine of up to \$15,000, or both.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS determines the bill will result in an indeterminate annual increase in State expenditures and revenues; however, due to the current state of microstamping technology, the OLS lacks sufficient information to quantify the fiscal impact or the timing of when the technology will be available. Additionally, the OLS lacks sufficient information to quantify the fiscal impact related to violations of the bill's provisions, as it is not possible to know how many individuals will be prosecuted, tried, and sentenced for the penalties and crimes established by the bill. Pursuant to the bill, once the program is established, a State instant rebate program will be funded to encourage purchasers to buy microstamping-enabled firearms.

State Expenditures - The DLPS will incur indeterminate annual cost increases to: 1) evaluate the viability of microstamping; 2) establish certain guidelines related to microstamping; 3) employ a microstamping examiner; 4) regulate and enforce provisions related to licensed retail dealers; 5) establish a Microstamping Fund and grant program for law enforcement agencies to purchase microstamping firearms; and 6) establish an instant rebate program for purchasers.

The OLS is uncertain of the timing of the implementation of these programs. Testimony at a Senate Law and Public Safety hearing indicated that the Attorney General recently provided a microstamping-enabled firearm presentation to showcase the existence of the new technology; however, the OLS is uncertain of the commercial availability of the technology. The bill does not provide an appropriation to fund the Microstamping Fund, the law enforcement grant program, or the instant rebate program. According to the Governor's FY 2023 recommended budget there were 24,049 firearms applications received in FY 2021. This number does include both permits to purchase a handgun and firearms purchaser identification cards for both long guns and handgun ammunition. Once the microstamping technology is made available and the maximum rebate of \$30 is met, and assuming each purchaser requests the microstamping technology, the maximum annual State cost to fulfill the rebate may be \$721,470.

Although the OLS cannot determine when the provisions of the bill imposing penalties would be in effect, the following State agencies may incur caseload and expenditure increases. The DLPS would have to prosecute additional cases, the Judiciary would have to adjudicate additional complaints and monitor additional probationers, the Office of the Public Defender would have to represent additional low-income criminal defendants, the Department of Corrections would have to house and care for more individuals who are sentenced to prison terms, and the State Parole Board would have to supervise the return to society of additional formerly incarcerated persons. The OLS notes that a crime of the third degree carries a presumption of non-incarceration for first time offenders.

State Revenue -The OLS notes the State may receive indeterminate revenue from fines, fees, and civil penalties imposed on individuals violating the provisions of this bill; however, the State's ability to collect monetary penalties has historically been limited.

Local Revenues and Expenditures - The OLS notes that the State law enforcement grant program would provide support to local law enforcement agencies wishing to purchase certain microstamping-enabled firearms.

Background - California requires microstamping of guns under legislation passed in 2007. It was fully implemented in 2013, following certification from the California Department of Justice. It appears, however, that the firearm industry has not manufactured the types of firearms that are subject to the law. Under subsequent legislation that will take effect in California in July 2022, more newly manufactured guns will be required to have microstamps. Also, New York State recently enacted microstamping legislation as part of a package of bills signed into law in June 2022.

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.).

SENATE, No. 2907

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED JUNE 20, 2022

Sponsored by:
Senator RICHARD J. CODEY
District 27 (Essex and Morris)

SYNOPSIS

Requires firearm retailers to sell microstamping-enabled firearms upon determination of availability by AG.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning microstamping-enabled firearms, and
2 supplementing Title 2C of the New Jersey Statutes and Title 52
3 of the Revised Statutes.

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

7
8 1. a. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 “Microstamp” means a unique alphanumeric or geometric code
11 that identifies the make, model, and serial number of a firearm.

12 “Microstamp roster” means the roster of firearms that have been
13 designated as microstamping-enabled firearms, pursuant to section
14 2 of P.L. , c. (C.) (pending before the Legislature as this
15 bill).

16 “Microstamping component” means a component of a firearm
17 that will produce a microstamp on at least one location of the
18 expended cartridge case each time the firearm is fired.

19 “Microstamping-enabled firearm” means a firearm that contains
20 a microstamping component.

21 b. (1) Within 180 days of the date of enactment of
22 P.L. , c. (C.) (pending before the Legislature as this bill),
23 the Attorney General or a designee shall: establish performance
24 standards and qualifying criteria for determining whether a firearm
25 constitutes a microstamping-enabled firearm; establish a process by
26 which to determine whether a firearm constitutes a microstamping-
27 enabled firearm; and complete the investigation required pursuant
28 to paragraph (2) of this subsection.

29 (2) Based on the standards, criteria, and process established
30 pursuant to paragraph (1) of this subsection, the Attorney General
31 shall complete an investigation concerning the technological
32 viability of microstamping-enabled firearms. The investigation shall
33 include, but need not be limited to, live-fire testing evidence. At the
34 conclusion of the investigation, the Attorney General shall certify
35 whether viable microstamping-enabled technology exists. If the
36 Attorney General certifies that the technology does not exist, the
37 microstamping examiner designated pursuant to subsection c. of
38 this section shall examine firearms submitted pursuant to subsection
39 e. of this section and make technological viability certification
40 recommendations to the Attorney General until such time as the
41 Attorney General certifies that microstamping-enabled firearms are
42 technologically viable.

43 c. The Attorney General or a designee shall designate a
44 microstamping examiner. The examiner shall examine firearms
45 submitted pursuant to subsection e. of this section in a manner
46 proscribed by the Attorney General and shall:

47 (1) make microstamping-enabled technology viability
48 recommendations, pursuant to subsection b. of this section;

S2907 CODEY

1 (2) following certification by the Attorney General that
2 microstamping-enabled firearms are technologically viable,
3 determine whether a firearm meets the performance standards and
4 qualifying criteria established by the Attorney General to be
5 designated as a microstamping-enabled firearm.

6 d. Upon designation of the first microstamping-enabled
7 firearm, the examiner shall create a microstamp roster, which shall
8 include each firearm so designated. The roster shall be updated as
9 necessary and shall be published on a website maintained by the
10 New Jersey State Police. A copy of the roster shall be made
11 available every six months to licensed retail firearms dealers in this
12 State.

13 e. Any person seeking to include a firearm on the
14 microstamping roster may apply to the microstamping examiner for
15 a determination of whether the make and model of firearm proposed
16 by the applicant may be designated as a microstamping-enabled
17 firearm.

18 f. If one or more firearms are included on the microstamp
19 roster, the Attorney General shall determine the commercial
20 availability of microstamping-enabled firearms. Upon certification
21 that microstamping-enabled firearms are commercially available,
22 each licensed retail dealer of firearms shall:

23 (1) make available for purchase at least one firearm included on
24 the roster and display the firearm in a conspicuous manner that
25 makes it easily visible to customers and distinguishable from
26 traditional firearms;

27 (2) post in one or more locations in the licensed retail dealer's
28 place or places of business in a conspicuous manner that makes
29 them easily visible and accessible to customers:

30 (a) copies of the microstamp roster; and

31 (b) a sign that includes a clear and conspicuous statement
32 disclosing the features of microstamping-enabled firearms that are
33 not offered by traditional firearms and advising customers that such
34 firearms may be purchased through the licensed retail dealer;

35 (3) accept and process orders to enable customers to purchase
36 through the licensed retail dealer any firearms included on the
37 microstamp roster;

38 (4) refrain from claiming that any firearm is a microstamping-
39 enabled firearm if that firearm is not included on the microstamp
40 roster; and

41 (5) in the event that the licensed retail dealer's inventory of
42 firearms included on the microstamp roster is depleted:

43 (a) place an order for at least one firearm on the microstamp
44 roster within 21 days of the sale of the last firearm on the
45 microstamp roster;

46 (b) maintain written records of the licensed retail dealer's efforts
47 to place an order and maintain those records on the premises and
48 allow them to be open for inspection at all times; and

S2907 CODEY

1 (c) post a sign on the premises indicating that microstamping-
2 enabled firearms are sold routinely on the licensed retail dealer's
3 premises and will soon be available for purchase.

4 g. If at least one firearm is listed on the microstamp roster, the
5 Superintendent of State Police shall designate officers to inspect the
6 microstamping-enabled firearm inventory and records of all
7 licensed retail dealers of firearms to determine whether a licensed
8 retail dealer is in compliance with the provisions of subsection f. of
9 this section. The inspections shall be conducted at least once every
10 two years at any time during the normal business hours of the
11 licensed retail dealer's place of business.

12

13 2. a. A licensed retail dealer who violates section 1 of
14 P.L. , c. (C.) (pending before the Legislature as this bill)
15 shall be subject to the following penalties:

16 (1) for a first offense, a fine of up to \$500;

17 (2) for a second offense, a fine of up to \$1,000; or

18 (3) for a third or subsequent offense, a six-month license
19 suspension following notice to the licensed retail dealer and
20 opportunity to be heard.

21 b. Any person who, without license or privilege to do so,
22 willfully removes, damages, alters, or otherwise tampers with a
23 microstamping enabled firearm to prevent or alter the production of
24 a microstamp shall be guilty of a third degree crime.

25 For the purposes of this subsection, tampering with a
26 microstamping component shall not include: replacing a firing pin
27 when the pin is damaged or otherwise in need of replacement for
28 the safe use of the firearm; or replacing a firing pin for a legitimate
29 sporting purpose, provided that the firearm remains a
30 microstamping-enabled firearm.

31

32 3. a. There is created in the Department of the Treasury a
33 nonlapsing fund entitled the "Microstamp Fund." The fund shall be
34 the depository for any State appropriations or other monies
35 provided for the purchase of microstamping-enabled firearms by
36 law enforcement agencies. The fund shall be administered by the
37 State Treasurer.

38 b. Funds within the Microstamp Fund may be used to purchase
39 firearms on the microstamp roster for the New Jersey State Police
40 or any municipal police department or force.

41 c. Any municipality which has a police department or force
42 may apply to the Attorney General or a designee for a grant to
43 purchase firearms on the microstamp roster. Application shall be
44 made in a manner prescribed by the Attorney General and shall
45 include information on the intended use and estimated cost of the
46 firearms request. The Attorney General or a designee shall select
47 grant recipients. Any funds awarded shall be used within one year
48 of receipt or the funds shall be returned.

1 4. This act shall take effect immediately.

2

3

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STATEMENT

5

6 This bill requires licensed retail dealers of firearms to sell
7 microstamping-enabled firearms when the Attorney General
8 determines they are commercially available.

9 Under the bill, the Attorney General is required to:

10 (1) establish performance standards and qualifying criteria for
11 determining whether a firearm constitutes a microstamping-enabled
12 firearm;

13 (2) establish a process by which to determine whether a firearm
14 constitutes a microstamping-enabled firearm; and

15 (3) complete an investigation as to whether microstamping-
16 enabled firearms technology currently is viable.

17 The bill requires the Attorney General to designate a
18 microstamping examiner, whose duties include examining firearms
19 submitted by applicants to determine whether a firearm meets the
20 performance standards and qualifying criteria established by the
21 Attorney General to be designated as a microstamping-enabled
22 firearm. Additionally, if the Attorney General determines after the
23 initial investigation that microstamping technology is not yet viable,
24 the examiner would be required to examine submitted firearms and
25 make recommendations to the Attorney General as to technological
26 viability until the Attorney General certifies that the technology is
27 viable. Upon designation of the first microstamping-enabled
28 firearm, the examiner would be required to create a microstamp
29 roster.

30 The bill provides that the roster would be published on a website
31 maintained by the New Jersey State Police and updated as
32 necessary. A copy of the roster would be made available every six
33 months to licensed retail dealers of firearms in this State.

34 Upon the inclusion of one or more firearms on the roster, the bill
35 requires the Attorney General to determine the commercial
36 availability of microstamping-enabled firearms. When it is
37 determined that microstamping-enabled firearms are commercially
38 available, each licensed retail dealer of firearms in the State would
39 be required to:

40 (1) make available for purchase at least one firearm included on
41 the roster and display the firearm in a conspicuous manner;

42 (2) post copies of the roster and signage concerning features of
43 microstamping-enabled firearms;

44 (3) accept and process orders to enable customers to purchase
45 any firearms included on the roster;

46 (4) refrain from claiming that any firearm is a microstamping-
47 enabled firearm if that firearm is not included on the roster; and

S2907 CODEY

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1 (5) in the event that the licensed retail dealer's inventory of
2 microstamping-enabled firearms is depleted, order new stock,
3 maintain order records, and notify customers of the typical
4 availability of microstamping-enabled firearms. The records would
5 be subject to inspection by State Police investigators.

6 Under the bill, a licensed retail dealer who violates the bill's
7 provisions would be subject to the following penalties:

8 (1) for a first offense, a fine of up to \$500;

9 (2) for a second offense, a fine of up to \$1,000;

10 (3) for a third or subsequent offense, a six-month license
11 suspension following notice to the licensed retail dealer and
12 opportunity to be heard.

13 The bill additionally provides that any person who, without
14 license or privilege to do so, tampers or attempts to tamper with a
15 microstamping enabled firearm by intentionally interfering with the
16 microstamping component technology would be guilty of a third
17 degree crime.

18 The bill defines "microstamp" as a unique alphanumeric or
19 geometric code that identifies the make, model, and serial number
20 of a firearm. "Microstamping component" is defined as a
21 component part of a firearm that will produce a microstamp on at
22 least one location of the expended cartridge case each time the
23 firearm is fired. "Microstamping-enabled firearm" is defined as a
24 firearm that contains a microstamping component.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 2907

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 23, 2022

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 2907, with committee amendments.

As amended and reported by the committee, this bill requires licensed retail dealers of firearms to sell microstamping-enabled firearms when the Attorney General determines they are commercially available.

Under the bill, the Attorney General is required to:

(1) establish performance standards and qualifying criteria for determining whether a firearm constitutes a microstamping-enabled firearm;

(2) establish a process by which to determine whether a firearm constitutes a microstamping-enabled firearm; and

(3) complete an investigation as to whether microstamping-enabled firearms technology currently is viable.

The bill requires the Attorney General to designate a microstamping examiner, whose duties include examining firearms submitted by applicants to determine whether a firearm meets the performance standards and qualifying criteria established by the Attorney General to be designated as a microstamping-enabled firearm. Additionally, if the Attorney General determines after the initial investigation that microstamping technology is not yet viable, the examiner is required to examine submitted firearms and make recommendations to the Attorney General as to technological viability until the Attorney General certifies that the technology is viable. When the first microstamping-enabled firearm is designated, the examiner is required to create a microstamp roster.

The bill requires the roster to be published on a website maintained by the New Jersey State Police and updated as necessary. A copy of the roster would be made available every six months to licensed retail dealers of firearms in this State.

When a firearm is included on the roster, the bill requires the Attorney General to determine the commercial availability of microstamping-enabled firearms. When it is determined that microstamping-enabled firearms are commercially available, each licensed retail dealer of firearms in the State would be required to:

(1) make available for purchase at least one firearm included on the roster and display the firearm in a conspicuous manner;

(2) post copies of the roster and signage concerning features of microstamping-enabled firearms;

(3) accept and process orders to enable customers to purchase any firearms included on the roster;

(4) refrain from claiming that any firearm is a microstamping-enabled firearm if that firearm is not included on the roster; and

(5) in the event that the licensed retail dealer's inventory of microstamping-enabled firearms is depleted, order new stock, maintain order records, and notify customers of the typical availability of microstamping-enabled firearms. The records would be subject to inspection by State Police investigators.

Under the bill, a licensed retail dealer who violates the bill's provisions would be subject to the following penalties:

(1) for a first offense, a fine of up to \$500;

(2) for a second offense, a fine of up to \$1,000;

(3) for a third or subsequent offense, a six-month license suspension following notice to the licensed retail dealer and opportunity to be heard.

The amended bill also establishes an instant rebate program for purchases of microstamping-enabled firearms from licensed retail dealers. Under the bill, a purchaser would be entitled to an instant rebate at the point of sale of 10 percent of the purchase price up to a maximum of \$30. The licensed retail dealer would be reimbursed by the State for each rebate provided under the program.

The bill additionally provides that any person who, without license or privilege to do so, tampers or attempts to tamper with a microstamping enabled firearm by intentionally interfering with the microstamping component technology would be guilty of a third degree crime.

The bill defines "microstamp" as a unique alphanumeric or geometric code that identifies the make, model, and serial number of a firearm. "Microstamping component" is defined as a component part of a firearm that will produce a microstamp on at least one location of the expended cartridge case each time the firearm is fired. "Microstamping-enabled firearm" is defined as a firearm that contains a microstamping component.

COMMITTEE AMENDMENTS

The committee amendments establish an instant rebate program for purchases of microstamping-enabled firearms from licensed retail dealers. Under the amendments, a purchaser would be entitled to an instant rebate at the point of sale of 10 percent of the purchase price up to a maximum of \$30. The licensed retail dealer would be reimbursed by the State for each rebate provided under the program.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 2907 STATE OF NEW JERSEY 220th LEGISLATURE

DATED: JUNE 30, 2022

SUMMARY

- Synopsis:** Requires firearm retailers to sell microstamping-enabled firearms upon determination of availability by AG.
- Type of Impact:** Annual State expenditure and revenue increases. Annual local revenue and expenditure increases.
- Agencies Affected:** Department of Law and Public Safety; The Judiciary; Department of Corrections; Office of the Public Defender; State Parole Board; local law enforcement agencies.

Office of Legislative Services Estimate

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

- The Office of Legislative Services (OLS) determines the bill will result in an indeterminate annual increase in State expenditures and revenues; however, due to the current state of microstamping technology, the OLS lacks sufficient information to quantify the fiscal impact or the timing of when the technology will be available. Additionally, the OLS lacks sufficient information in regard to the potential violations of the provisions of the bill to quantify the fiscal impact, as it is not possible to know how many individuals will be prosecuted, tried, and sentenced for the penalties and crimes established by the bill. Pursuant to the bill, once the program is established, a State instant rebate program will be funded to encourage purchasers to buy microstamping-enabled firearms.
- The Department of Law and Public Safety (DLPS) will incur indeterminate annual cost increases to: 1) evaluate the viability of microstamping; 2) establish certain guidelines related to microstamping; 3) employ a microstamping examiner; and 4) regulate and enforce provisions related to licensed retail dealers.

- The bill creates a Microstamp Fund for State and local law enforcement agencies to utilize for the purchase of microstamping-enabled firearms.
- The bill establishes an instant rebate for purchases of microstamping-enabled firearms from licensed dealers for up to a maximum of \$30. The licensed retail dealer would be reimbursed by the State for each rebate provided under the program.
- The bill establishes certain fines and penalties for violations, including a penalty of the third degree, which is punishable by three to five years imprisonment, a fine of up to \$15,000, or both.

BILL DESCRIPTION

This bill requires licensed retail dealers of firearms to sell microstamping-enabled firearms when the Attorney General determines these firearms are commercially available.

Under the bill, the Attorney General is required to:

- establish performance standards and qualifying criteria for determining whether a firearm constitutes a microstamping-enabled firearm;
- establish a process by which to determine whether a firearm constitutes a microstamping-enabled firearm;
- complete an investigation as to whether microstamping enabled firearms technology currently is viable; and
- designate a microstamping examiner to examine firearms submitted by applicants to determine whether a firearm meets certain standards and criteria established by the Attorney General, or if microstamping technology is not yet viable, the examiner would be required to examine submitted firearms and make certain recommendations to the Attorney General. Additionally, the examiner would be required to create, update, and regularly distribute a microstamping enabled firearm roster to be published on a website maintained by the Division of State Police and updated as necessary.

The bill imposes on firearm retail dealers in the State certain requirements related to microstamping once it is determined that microstamping-enabled firearms are commercially available.

The bill establishes certain offenses and penalties as follows:

- A licensed retail dealer who violates the bill's provisions would be subject to the following penalties: (1) for a first offense, a fine of up to \$500; (2) for a second offense, a fine of up to \$1,000; (3) for a third or subsequent offense, a six-month license suspension following notice to the licensed retail dealer and opportunity to be heard; and
- A person who damages or removes the microstamping-enabled component would be guilty of a third degree crime, which is punishable by three to five years imprisonment, a fine of up to \$15,000, or both.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS determines the bill will result in an indeterminate annual increase in State expenditures and revenues; however, due to the current state of microstamping technology, the OLS lacks sufficient information to quantify the fiscal impact or the timing of when the technology will be available. Additionally, the OLS lacks sufficient information to quantify the fiscal impact related to violations of the bill's provisions, as it is not possible to know how many individuals will be prosecuted, tried, and sentenced for the penalties and crimes established by the bill. Pursuant to the bill, once the program is established, a State instant rebate program will be funded to encourage purchasers to buy microstamping-enabled firearms.

State Expenditures - The DLPS will incur indeterminate annual cost increases to: 1) evaluate the viability of microstamping; 2) establish certain guidelines related to microstamping; 3) employ a microstamping examiner; 4) regulate and enforce provisions related to licensed retail dealers; 5) establish a Microstamping Fund and grant program for law enforcement agencies to purchase microstamping firearms; and 6) establish an instant rebate program for purchasers.

The OLS is uncertain of the timing of the implementation of these programs. Testimony at a Senate Law and Public Safety hearing indicated that the Attorney General recently provided a microstamping-enabled firearm presentation to showcase the existence of the new technology; however, the OLS is uncertain of the commercial availability of the technology. The bill does not provide an appropriation to fund the Microstamping Fund, the law enforcement grant program, or the instant rebate program. According to the Governor's FY 2023 recommended budget there were 24,049 firearms applications received in FY 2021. This number does include both permits to purchase a handgun and firearms purchaser identification cards for both long guns and handgun ammunition. Once the microstamping technology is made available and the maximum rebate of \$30 is met, and assuming each purchaser requests the microstamping technology, the maximum annual State cost to fulfill the rebate may be \$721,470.

Although the OLS cannot determine when the provisions of the bill imposing penalties would be in effect, the following State agencies may incur caseload and expenditure increases. The DLPS would have to prosecute additional cases, the Judiciary would have to adjudicate additional complaints and monitor additional probationers, the Office of the Public Defender would have to represent additional low-income criminal defendants, the Department of Corrections would have to house and care for more individuals who are sentenced to prison terms, and the State Parole Board would have to supervise the return to society of additional formerly incarcerated persons. The OLS notes that a crime of the third degree carries a presumption of non-incarceration for first time offenders.

State Revenue -The OLS notes the State may receive indeterminate revenue from fines, fees, and civil penalties imposed on individuals violating the provisions of this bill; however, the State's ability to collect monetary penalties has historically been limited.

Local Revenues and Expenditures - The OLS notes that the State law enforcement grant program would provide support to local law enforcement agencies wishing to purchase certain microstamping-enabled firearms.

Background - California requires microstamping of guns under legislation passed in 2007. It was fully implemented in 2013, following certification from the California Department of Justice. It appears, however, that the firearm industry has not manufactured the types of firearms that are subject to the law. Under subsequent legislation that will take effect in California in July 2022, more newly manufactured guns will be required to have microstamps. Also, New York State

recently enacted microstamping legislation as part of a package of bills signed into law in June 2022.

Section: Law and Public Safety

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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.