

2C:58-19

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2007 **CHAPTER:** 299
NJSA: 2C:58-19 (Requires owner to report loss or theft of firearm to police within 36 hours)
BILL NO: S2934 (Substituted for A4620)

SPONSOR(S): Turner and others

DATE INTRODUCED: November 8, 2007

COMMITTEE: **ASSEMBLY:**
SENATE: Law and Public Safety and Veterans' Affairs

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** January 7, 2008
SENATE: January 3, 2008

DATE OF APPROVAL: January 13, 2008

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (First reprint enacted)

S2934

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [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: No

A4620

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** Yes [12-10-07 \(L & PS\)](#)
[1-3-08 \(Judiciary\)](#)

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/IS 6/19/08

P.L. 2007, CHAPTER 299, *approved January 13, 2008*
Senate, No. 2934 (*First Reprint*)

1 AN ACT concerning the loss or theft of a firearm and supplementing
2 chapter 58 of Title 2C of the New Jersey Statutes.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. The legal owner of a firearm, ¹**[immediately]**¹ upon
8 discovering that the firearm is lost or stolen, shall report the loss or
9 theft ¹within 36 hours¹ to the chief law enforcement officer of the
10 municipality in which the loss or theft occurred or, if the
11 municipality does not have a local police force, ¹to¹ the
12 Superintendent of State Police.

13 ¹**[If the lost or stolen firearm is used in the commission of a**
14 **crime, the legal owner of the lost or stolen firearm shall not be**
15 **civilly liable for any damages resulting from that crime if the legal**
16 **owner complied with the reporting requirements of this section].**
17 A person who violates the provisions of this section shall be liable
18 to a civil penalty of not less than \$500 for a first offense, and not
19 less than \$1,000 for any second or subsequent offense. The civil
20 penalty shall be collected pursuant to the “Penalty Enforcement
21 Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.)¹

22
23 2. This act shall take effect immediately.

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28 Requires owner to report loss or theft of firearm to police within
29 36 hours.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SLP committee amendments adopted December 17, 2007.

SENATE, No. 2934

STATE OF NEW JERSEY
212th LEGISLATURE

INTRODUCED NOVEMBER 8, 2007

Sponsored by:
Senator SHIRLEY K. TURNER
District 15 (Mercer)

SYNOPSIS

Requires owner to immediately report loss or theft of firearm to police.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the loss or theft of a firearm and supplementing
2 chapter 58 of Title 2C of the New Jersey Statutes.

3

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

6

7 1. The legal owner of a firearm, immediately upon discovering
8 that the firearm is lost or stolen, shall report the loss or theft to the
9 chief law enforcement officer of the municipality in which the loss
10 or theft occurred or, if the municipality does not have a local police
11 force, the Superintendent of State Police.

12 If the lost or stolen firearm is used in the commission of a crime,
13 the legal owner of the lost or stolen firearm shall not be civilly
14 liable for any damages resulting from that crime if the legal owner
15 complied with the reporting requirements of this section.

16

17 2. This act shall take effect immediately.

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STATEMENT

21

22 This bill requires the legal owner of a firearm to report the loss
23 or theft of that firearm to the chief law enforcement officer of the
24 municipality in which the theft occurred or, if the municipality does
25 not have a local police force, the Superintendent of State Police.
26 The report must be made immediately upon discovering that loss or
27 theft.

28 The bill specifies that the legal owner of a lost or stolen firearm
29 will not be civilly liable for any damages resulting from a crime in
30 which the lost or stolen firearm was used if the legal owner
31 complied with the bill's reporting requirement.

SENATE LAW AND PUBLIC SAFETY AND VETERANS'
AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 2934

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 17, 2007

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably and with committee amendments Senate Bill No. 2934.

As amended and reported by committee, this bill requires the legal owner of a firearm, upon discovering that the firearm is lost or stolen, to report the loss or theft of that firearm within 36 hours to the chief law enforcement officer of the municipality in which the theft occurred or, if the municipality does not have a local police force, the Superintendent of State Police. Under the amended bill, a legal owner of a firearm who fails to report the loss or theft of the firearm within the 36-hour period is subject to a civil penalty of not less than \$500 for a first offense, and not less than \$1,000 for any second or subsequent offense.

The committee amended the bill to require the legal owner of a firearm to report the loss or theft of that firearm with 36 hours after discovery of the loss or theft rather than immediately upon discovery. The committee also added a provision that an owner who fails to report the loss or theft is subject to a civil penalty of not less than \$500 for a first offense, and not less than \$1000 for any second or subsequent offense. The amendments also remove language specifying that the legal owner of a lost or stolen firearm who complied with the reporting requirements would not be civilly liable for any damages resulting from a crime.

ASSEMBLY, No. 4620

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED DECEMBER 6, 2007

Sponsored by:

Assemblyman LOUIS M. MANZO

District 31 (Hudson)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

SYNOPSIS

Requires owner to immediately report loss or theft of firearm to police.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the loss or theft of a firearm and supplementing
2 chapter 58 of Title 2C of the New Jersey Statutes.

3

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

6

7 1. The legal owner of a firearm, immediately upon discovering
8 that the firearm is lost or stolen, shall report the loss or theft to the
9 chief law enforcement officer of the municipality in which the loss
10 or theft occurred or, if the municipality does not have a local police
11 force, the Superintendent of State Police.

12 If the lost or stolen firearm is used in the commission of a crime,
13 the legal owner of the lost or stolen firearm shall not be civilly
14 liable for any damages resulting from that crime if the legal owner
15 complied with the reporting requirements of this section.

16

17 2. This act shall take effect immediately.

18

19

20

STATEMENT

21

22 This bill requires the legal owner of a firearm to report the loss
23 or theft of that firearm to the chief law enforcement officer of the
24 municipality in which the theft occurred or, if the municipality does
25 not have a local police force, the Superintendent of State Police.
26 The report must be made immediately upon discovering that loss or
27 theft.

28 The bill specifies that the legal owner of a lost or stolen firearm
29 will not be civilly liable for any damages resulting from a crime in
30 which the lost or stolen firearm was used if the legal owner
31 complied with the bill's reporting requirement.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4620

STATE OF NEW JERSEY

DATED: DECEMBER 10, 2007

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 4620.

Assembly Bill No. 4620 requires the legal owner of a firearm to report the loss or theft of that firearm to the chief law enforcement officer of the municipality in which the theft occurred or, if the municipality does not have a local police force, the Superintendent of State Police. The report must be made immediately upon discovering that loss or theft.

The bill specifies that the legal owner of a lost or stolen firearm will not be civilly liable for any damages resulting from a crime in which the lost or stolen firearm was used if the legal owner complied with the bill's reporting requirement.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4620

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 3, 2008

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 4620.

As amended, the bill requires the legal owner of a firearm, upon discovering that the firearm is lost or stolen, to report the loss or theft of that firearm within 36 hours to the chief law enforcement officer of the municipality in which the theft occurred or, if the municipality does not have a local police force, to the Superintendent of State Police. Under the amended bill, a legal owner of a firearm who fails to report the loss or theft of the firearm within the 36-hour period is subject to a civil penalty of not less than \$500 for a first offense, and not less than \$1,000 for any second or subsequent offense.

The committee amended the bill to require the legal owner of a firearm to report the loss or theft of that firearm within 36 hours after discovery of the loss or theft rather than immediately upon discovery. The committee also added a provision that an owner who fails to report the loss or theft is subject to a civil penalty of not less than \$500 for a first offense, and not less than \$1000 for any second or subsequent offense. The amendments also remove language specifying that the legal owner of a lost or stolen firearm who complied with the reporting requirements would not be civilly liable for any damages resulting from a crime.

These amendments make this bill identical to S2934(1R).

COMMITTEE AMENDMENTS

1. Amends section 1 of the bill to require the legal owner of a firearm to report the loss or theft of that firearm within 36 hours after discovery of the loss or theft rather than immediately upon discovery.

2. Provides that an owner who fails to report the loss or theft is subject to a civil penalty of not less than \$500 for a first offense, and not less than \$1,000 for any second or subsequent.

3. Removes language specifying that the legal owner of a lost or stolen firearm who complied with the reporting requirements would not be civilly liable for any damages resulting from a crime.