

# ASSEMBLY, No. 1302

## STATE OF NEW JERSEY 220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Assemblyman REGINALD W. ATKINS**

**District 20 (Union)**

**Co-Sponsored by:**

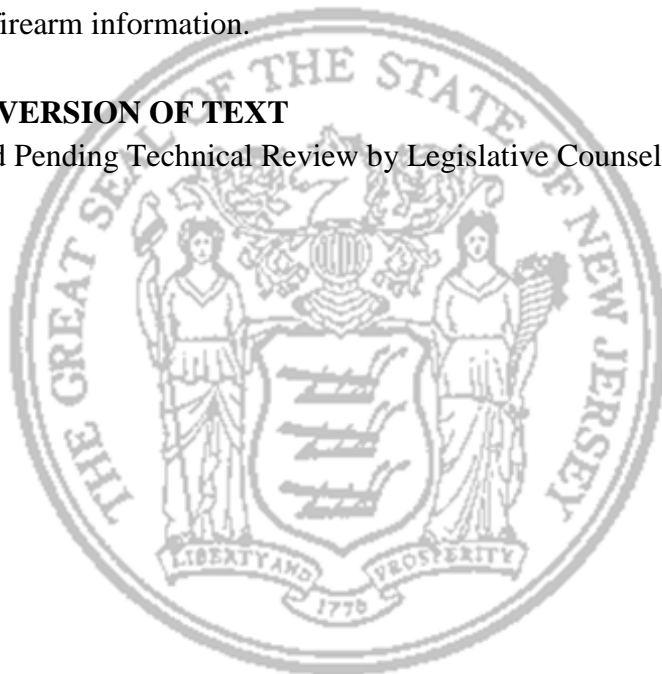
**Assemblywoman Jasey, Assemblymen McKeon, Tully, Assemblywomen Chaparro, Swain, Carter, McKnight, Jimenez, Assemblyman Spearman, Assemblywoman Jaffer, Assemblymen Wimberly, Sampson, Moen and Conaway**

**SYNOPSIS**

Regulates sale of handgun ammunition and develops system for electronic reporting of firearm information.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



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

1 AN ACT concerning the sale of ammunition, amending N.J.S.2C:58-  
2 1, N.J.S.2C:58-2, N.J.S.2C:58-3, and P.L.2007, c.318, and  
3 supplementing Title 2C of the New Jersey Statutes.  
4

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

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

9 2C:58-1. Registration of manufacturers and wholesale dealers of  
10 firearms

11 a. Registration. Every manufacturer and wholesale dealer of  
12 firearms shall register with the superintendent as provided in this  
13 section. No person shall engage in the business of, or act as a  
14 manufacturer or wholesale dealer of firearms, or manufacture or sell  
15 at wholesale any firearm, until he has so registered.

16 Applications for registration shall be made on such forms as  
17 shall be prescribed by the superintendent, and the applicant shall  
18 furnish such information and other particulars as may be prescribed  
19 by law or by any rules or regulations promulgated by the  
20 superintendent. Each application for registration or renewal shall  
21 be accompanied by a fee of \$150.00.

22 The superintendent shall prescribe standards and qualifications  
23 for the registration of manufacturers and wholesalers of firearms,  
24 for the protection of the public safety, health and welfare. He shall  
25 refuse to register any applicant for registration unless he is satisfied  
26 that the applicant can be permitted to engage in business as a  
27 manufacturer or wholesale dealer of firearms without any danger to  
28 the public safety, health or welfare.

29 The superintendent shall issue a certificate of registration to  
30 every person registered under this section, and such certificate shall  
31 be valid for a period of 3 years from the date of issuance.

32 b. Wholesale dealer's agent. Every registered wholesale dealer  
33 of firearms shall cause each of his agents or employees actively  
34 engaged in the purchase or sale of firearms to be licensed with the  
35 superintendent as a wholesale dealer's agent. Applications for  
36 agents' licenses shall be submitted on such forms as shall be  
37 prescribed by the superintendent, and shall be signed by the  
38 registered wholesale dealer and by the agent. Each application shall  
39 be accompanied by a fee of \$5.00, and each license shall be valid  
40 for so long as the agent or employee remains in the employ of the  
41 wholesale dealer and the wholesale dealer remains validly  
42 registered under this section. The superintendent shall prescribe  
43 standards and qualifications for licensed wholesale dealers' agents,  
44 for the protection of the public safety, health and welfare.

45 c. Revocation of certificate of registration or license.

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

Matter underlined thus is new matter.

1 The superintendent may, after reasonable notice to all affected  
2 parties and a hearing if requested, revoke any certificate of  
3 registration or agent's license if he finds that the registered or  
4 licensed person is no longer engaged in the business of  
5 manufacturing or wholesaling firearms in this State or that he can  
6 no longer be permitted to carry on such business without  
7 endangering the public safety, health or welfare. A certificate or  
8 license may be canceled at any time at the request of the registered  
9 or licensed person.

10 d. Appeals. Any person aggrieved by the refusal of the  
11 superintendent to register him as a manufacturer or wholesale dealer  
12 or a wholesale dealer's agent, or by revocation of his certificate or  
13 license, may appeal to the Appellate Division of the Superior Court.

14 e. Records of sales. Every manufacturer and wholesale dealer  
15 shall keep a detailed record of each firearm and all handgun  
16 ammunition sold by **him** the manufacturer and dealer. The  
17 firearm record shall include the date of sale, the name and address  
18 of the purchaser, a description of each firearm and the firearm's  
19 serial number [thereof]. The handgun ammunition record shall be  
20 in electronic form and shall contain the date of the transaction; the  
21 type, caliber, or gauge of the ammunition; the quantity of  
22 ammunition sold; the name and address of the purchaser; and any  
23 other information the superintendent shall deem necessary for the  
24 proper enforcement of this chapter. The records shall be available  
25 for inspection at all reasonable times by any law enforcement  
26 officer.

27 Every manufacturer and wholesale dealer shall establish a system  
28 for maintaining electronic records pursuant to this subsection within  
29 12 months of the effective date of P.L. , c. (C. ) (pending  
30 before the Legislature as this bill).

31 (cf: N.J.S.2C:58-1)

32

33 2. N.J.S.2C:58-2 is amended to read as follows:

34 2C:58-2. a. Licensing of retail dealers and their employees. No  
35 retail dealer of firearms nor any employee of a retail dealer shall  
36 sell or expose for sale, or possess with the intent of selling, any  
37 firearm unless licensed to do so as hereinafter provided. The  
38 superintendent shall prescribe standards and qualifications for retail  
39 dealers of firearms and their employees for the protection of the  
40 public safety, health and welfare.

41 Applications shall be made in the form prescribed by the  
42 superintendent, accompanied by a fee of \$50 payable to the  
43 superintendent, and shall be made to a judge of the Superior Court  
44 in the county where the applicant maintains his place of business.  
45 The judge shall grant a license to an applicant if he finds that the  
46 applicant meets the standards and qualifications established by the  
47 superintendent and that the applicant can be permitted to engage in  
48 business as a retail dealer of firearms or employee thereof without

1 any danger to the public safety, health and welfare. Each license  
2 shall be valid for a period of three years from the date of issuance,  
3 and shall authorize the holder to sell firearms at retail in a specified  
4 municipality.

5 In addition, every retail dealer shall pay a fee of \$5 for each  
6 employee actively engaged in the sale or purchase of firearms. The  
7 superintendent shall issue a license for each employee for whom  
8 said fee has been paid, which license shall be valid for so long as  
9 the employee remains in the employ of said retail dealer.

10 No license shall be granted to any retail dealer under the age of  
11 21 years or to any employee of a retail dealer under the age of 18 or  
12 to any person who could not qualify to obtain a permit to purchase a  
13 handgun or a firearms purchaser identification card, or to any  
14 corporation, partnership or other business organization in which the  
15 actual or equitable controlling interest is held or possessed by such  
16 an ineligible person.

17 All licenses shall be granted subject to the following conditions,  
18 for breach of any of which the license shall be subject to revocation  
19 on the application of any law enforcement officer and after notice  
20 and hearing by the issuing court:

21 (1) The business shall be carried on only in the building or  
22 buildings designated in the license, provided that repairs may be  
23 made by the dealer or his employees outside of such premises.

24 (2) The license or a copy certified by the issuing authority shall  
25 be displayed at all times in a conspicuous place on the business  
26 premises where it can be easily read.

27 (3) No firearm or imitation thereof shall be placed in any  
28 window or in any other part of the premises where it can be readily  
29 seen from the outside.

30 (4) No rifle or shotgun, except antique rifles or shotguns, shall  
31 be delivered to any person unless such person possesses and  
32 exhibits a valid firearms purchaser identification card and furnishes  
33 the seller, on the form prescribed by the superintendent, a  
34 certification signed by him setting forth his name, permanent  
35 address, firearms purchaser identification card number and such  
36 other information as the superintendent may by rule or regulation  
37 require. The certification shall be retained by the dealer and shall  
38 be made available for inspection by any law enforcement officer at  
39 any reasonable time.

40 (5) No handgun shall be delivered to any person unless:

41 (a) Such person possesses and exhibits a valid permit to  
42 purchase a firearm and at least seven days have elapsed since the  
43 date of application for the permit;

44 (b) The person is personally known to the seller or presents  
45 evidence of his identity;

46 (c) The handgun is unloaded and securely wrapped;

47 (d) The handgun is accompanied by a trigger lock or a locked  
48 case, gun box, container or other secure facility; provided, however,

1 this provision shall not apply to antique handguns or personalized  
2 handguns included in the roster pursuant to section 2 of P.L.2019,  
3 c.164 (C.2C:58-2.8). The exemptions afforded under this  
4 subparagraph for antique handguns and personalized handguns shall  
5 be narrowly construed, limited solely to the requirements set forth  
6 herein and shall not be deemed to afford or authorize any other  
7 exemption from the regulatory provisions governing firearms set  
8 forth in chapter 39 and chapter 58 of Title 2C of the New Jersey  
9 Statutes; and

10 (e) (Deleted by amendment, P.L.2019, c.164)

11 (6) The dealer shall keep a true record of every handgun sold,  
12 given or otherwise delivered or disposed of, in accordance with the  
13 provisions of subsections b. through e. of this section and the record  
14 shall note whether a trigger lock, locked case, gun box, container or  
15 other secure facility was delivered along with the handgun.

16 (7) A dealer shall not knowingly deliver more than one handgun  
17 to any person within any 30-day period. This limitation shall not  
18 apply to:

19 (a) a federal, State, or local law enforcement officer or agency  
20 purchasing handguns for use by officers in the actual performance  
21 of their law enforcement duties;

22 (b) a collector of handguns as curios or relics as defined in Title  
23 18, United States Code, section 921 (a) (13) who has in his  
24 possession a valid Collector of Curios and Relics License issued by  
25 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

26 (c) transfers of handguns among licensed retail dealers,  
27 registered wholesale dealers and registered manufacturers;

28 (d) any transaction where the person has purchased a handgun  
29 from a licensed retail dealer and has returned that handgun to the  
30 dealer in exchange for another handgun within 30 days of the  
31 original transaction, provided the retail dealer reports the exchange  
32 transaction to the superintendent; or

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

36 b. Records. (1) Every person engaged in the retail business of  
37 selling, leasing or otherwise transferring a handgun, as a retail  
38 dealer or otherwise, shall keep a register in which shall be entered  
39 the time of the sale, lease or other transfer, the date thereof, the  
40 name, age, date of birth, occupation, residence and a physical  
41 description including distinguishing physical characteristics, if any,  
42 of the purchaser, lessee or transferee, the name and permanent home  
43 address of the person making the sale, lease or transfer, the place of  
44 the transaction, and the make, model, manufacturer's number,  
45 caliber and other marks of identification on such handgun and such  
46 other information as the superintendent shall deem necessary for the  
47 proper enforcement of this chapter. The register shall be retained by

1 the dealer and shall be made available at all reasonable hours for  
2 inspection by any law enforcement officer.

3 (2) Every person engaged in the retail business of selling,  
4 leasing, or otherwise transferring handgun ammunition, as a retail  
5 dealer or otherwise, shall keep an electronic record in which shall  
6 be entered the name of the manufacturer; the date of the transaction;  
7 the type; caliber or gauge of the ammunition; the quantity of the  
8 ammunition sold; the name, address, and date of birth of the  
9 purchaser; the identification used to establish the identity of the  
10 purchaser; and any other information the superintendent shall deem  
11 necessary for the proper enforcement of this chapter. The electronic  
12 records shall be retained by the dealer and shall be made available  
13 at all reasonable hours for inspection by any law enforcement  
14 officer, and additionally shall be electronically reported to the  
15 superintendent in accordance with section 4 of P.L. , c. (C. )  
16 (pending before the Legislature as this bill).

17 c. Forms of register.

18 **【The】** (1) Until the implementation of the electronic record  
19 system described in paragraph (2) of subsection b. of this section or  
20 section 4 of P.L. , c. (C. ) (pending before the Legislature as  
21 this bill), the superintendent shall prepare the form of the register as  
22 described in paragraph (1) of subsection b. of this section and  
23 furnish the same in triplicate to each person licensed to be engaged  
24 in the business of selling, leasing or otherwise transferring firearms.

25 (2) All retail dealers of handgun ammunition shall establish a  
26 system for maintaining electronic records of the sale or transfer of  
27 handgun ammunition within 12 months after the effective date of  
28 P.L. , c. (C. ) (pending before the Legislature as this bill).

29 d. Signatures in register. **【The】** Until the dealer implements an  
30 electronic record system as described in paragraph (2) of subsection  
31 b. of this section or section 4 of P.L. , c. (C. ) (pending  
32 before the Legislature as this bill), the purchaser, lessee or  
33 transferee of any handgun shall sign, and the dealer shall require  
34 him to sign his name to the register, in triplicate, and the person  
35 making the sale, lease or transfer shall affix his name, in triplicate,  
36 as a witness to the signature. The signatures, or the entry of an  
37 electronic signature in the electronic record system pursuant to  
38 paragraph (2) of subsection b. of this section or section 4 of  
39 P.L. , c. (C. ) (pending before the Legislature as this bill),  
40 shall constitute a representation of the accuracy of the information  
41 contained in the register.

42 e. Copies of register entries; delivery to chief of police or  
43 county clerk.

44 **【Within】** (1) Except as otherwise provided in paragraph (2) of  
45 this subsection, within five days of the date of the sale, assignment  
46 or transfer, the dealer shall deliver or mail by certified mail, return  
47 receipt requested, legible copies of the register forms to the office  
48 of the chief of police of the municipality in which the purchaser

1 resides, or to the office of the captain of the precinct of the  
2 municipality in which the purchaser resides, and to the  
3 superintendent. If hand delivered a receipt shall be given to the  
4 dealer therefor.

5 Where a sale, assignment or transfer is made to a purchaser who  
6 resides in a municipality having no chief of police, the dealer shall,  
7 within five days of the transaction, mail a duplicate copy of the  
8 register sheet to the clerk of the county within which the purchaser  
9 resides.

10 (2) A dealer shall not be required to use the triplicate form after  
11 the dealer establishes an electronic reporting system pursuant to  
12 paragraph (2) of subsection b. of this section or section 4 of  
13 P.L. , c. (C. ) (pending before the Legislature as this bill).  
14 (cf: P.L.2019, c.164, s.7)

15

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

17 2C:58-3. a. Permit to purchase a handgun.

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

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

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

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

31 (b) between law enforcement officers;

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

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

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

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

46 (b) every retail dealer shall maintain a record of transactions  
47 conducted pursuant to this subsection, which shall be maintained at  
48 the address displayed on the retail dealer's license for inspection by

1 a law enforcement officer during reasonable hours;

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

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

7 b. Firearms purchaser identification card.

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

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

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

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

33 (b) between law enforcement officers;

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

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

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

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



- 1 (b) every retail dealer shall maintain a record of transactions  
2 conducted pursuant to this section which shall be maintained at the  
3 address set forth on the retail dealer's license for inspection by a law  
4 enforcement officer during reasonable hours;
- 5 (c) a retail dealer may charge a fee for a transaction conducted  
6 pursuant to this subsection; and
- 7 (d) any record produced pursuant to this subsection shall not be  
8 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et  
9 seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).
- 10 c. Who may obtain. No person of good character and good  
11 repute in the community in which he lives, and who is not subject to  
12 any of the disabilities set forth in this section or other sections of  
13 this chapter, shall be denied a permit to purchase a handgun or a  
14 firearms purchaser identification card, except as hereinafter set  
15 forth. No handgun purchase permit or firearms purchaser  
16 identification card shall be issued:
- 17 (1) To any person who has been convicted of any crime, or a  
18 disorderly persons offense involving an act of domestic violence as  
19 defined in section 3 of P.L.1991, c.261 (C.2C:25-19), whether or  
20 not armed with or possessing a weapon at the time of the offense;
- 21 (2) To any drug dependent person as defined in section 2 of  
22 P.L.1970, c.226 (C.24:21-2), to any person who is confined for a  
23 mental disorder to a hospital, mental institution or sanitarium, or to  
24 any person who is presently an habitual drunkard;
- 25 (3) To any person who suffers from a physical defect or disease  
26 which would make it unsafe for him to handle firearms, to any  
27 person who has ever been confined for a mental disorder, or to any  
28 alcoholic unless any of the foregoing persons produces a certificate  
29 of a medical doctor or psychiatrist licensed in New Jersey, or other  
30 satisfactory proof, that he is no longer suffering from that particular  
31 disability in a manner that would interfere with or handicap him in  
32 the handling of firearms; to any person who knowingly falsifies any  
33 information on the application form for a handgun purchase permit  
34 or firearms purchaser identification card;
- 35 (4) To any person under the age of 18 years for a firearms  
36 purchaser identification card and to any person under the age of 21  
37 years for a permit to purchase a handgun;
- 38 (5) To any person where the issuance would not be in the  
39 interest of the public health, safety or welfare;
- 40 (6) To any person who is subject to a restraining order issued  
41 pursuant to the "Prevention of Domestic Violence Act of 1991,"  
42 P.L.1991, c.261 (C.2C:25-17 et seq.) prohibiting the person from  
43 possessing any firearm;
- 44 (7) To any person who as a juvenile was adjudicated delinquent  
45 for an offense which, if committed by an adult, would constitute a  
46 crime and the offense involved the unlawful use or possession of a  
47 weapon, explosive or destructive device or is enumerated in  
48 subsection d. of section 2 of P.L.1997, c.117 (C.2C:43-7.2);

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

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

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

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

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

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

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

23 Application blanks shall be obtainable from the superintendent,  
24 from any other officer authorized to grant a permit or identification  
25 card, and from licensed retail dealers, or shall be made available  
26 through an online process established or made available by the  
27 superintendent.

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

42 f. Granting of permit or identification card; fee; term; renewal;  
43 revocation. The application for the permit to purchase a handgun  
44 together with a fee of \$2, or the application for the firearms  
45 purchaser identification card together with a fee of \$5, shall be  
46 delivered or forwarded to the licensing authority who shall  
47 investigate the same and, unless good cause for the denial thereof  
48 appears, shall grant the permit or the identification card, or both, if

1 application has been made therefor, within 30 days from the date of  
2 receipt of the application for residents of this State and within 45  
3 days for nonresident applicants. A permit to purchase a handgun  
4 shall be valid for a period of 90 days from the date of issuance and  
5 may be renewed by the issuing authority for good cause for an  
6 additional 90 days. A firearms purchaser identification card shall  
7 be valid until such time as the holder becomes subject to any of the  
8 disabilities set forth in subsection c. of this section, whereupon the  
9 card shall be void and shall be returned within five days by the  
10 holder to the superintendent, who shall then advise the licensing  
11 authority. Failure of the holder to return the firearms purchaser  
12 identification card to the superintendent within the five days shall  
13 be an offense under subsection a. of N.J.S.2C:39-10. Any firearms  
14 purchaser identification card may be revoked by the Superior Court  
15 of the county wherein the card was issued, after hearing upon  
16 notice, upon a finding that the holder thereof no longer qualifies for  
17 the issuance of the permit. The county prosecutor of any county,  
18 the chief police officer of any municipality or any citizen may apply  
19 to the court at any time for the revocation of the card.

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

24 g. Disposition of fees. All fees for permits shall be paid to the  
25 State Treasury if the permit is issued by the superintendent, to the  
26 municipality if issued by the chief of police, and to the county  
27 treasurer if issued by the judge of the Superior Court.

28 h. Form of permit; quadruplicate; disposition of copies.

29 【The】 (1) Except as otherwise provided in paragraph (2) of this  
30 subsection, the permit shall be in the form prescribed by the  
31 superintendent and shall be issued to the applicant in quadruplicate.  
32 Prior to the time he receives the handgun from the seller, the  
33 applicant shall deliver to the seller the permit in quadruplicate and  
34 the seller shall complete all of the information required on the form.  
35 Within five days of the date of the sale, the seller shall forward the  
36 original copy to the superintendent and the second copy to the chief  
37 of police of the municipality in which the purchaser resides, except  
38 that in a municipality having no chief of police, the copy shall be  
39 forwarded to the superintendent. The third copy shall then be  
40 returned to the purchaser with the pistol or revolver and the fourth  
41 copy shall be kept by the seller as a permanent record.

42 (2) The requirements of this subsection concerning the delivery  
43 and form of permit and disposition of copies shall not be applicable  
44 when these functions may be completed by utilizing an electronic  
45 system as described in paragraph (2) of subsection b. of  
46 N.J.S.2C:58-2 or section 4 of P.L. , c. (C. ) (pending before  
47 the Legislature as this bill).

- 1 i. Restriction on number of firearms person may purchase.  
2 Only one handgun shall be purchased or delivered on each permit  
3 and no more than one handgun shall be purchased within any 30-  
4 day period, but this limitation shall not apply to:
- 5 (1) a federal, State, or local law enforcement officer or agency  
6 purchasing handguns for use by officers in the actual performance  
7 of their law enforcement duties;
- 8 (2) a collector of handguns as curios or relics as defined in Title  
9 18, United States Code, section 921 (a) (13) who has in his  
10 possession a valid Collector of Curios and Relics License issued by  
11 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;
- 12 (3) transfers of handguns among licensed retail dealers,  
13 registered wholesale dealers and registered manufacturers;
- 14 (4) transfers of handguns from any person to a licensed retail  
15 dealer or a registered wholesale dealer or registered manufacturer;
- 16 (5) any transaction where the person has purchased a handgun  
17 from a licensed retail dealer and has returned that handgun to the  
18 dealer in exchange for another handgun within 30 days of the  
19 original transaction, provided the retail dealer reports the exchange  
20 transaction to the superintendent; or
- 21 (6) any transaction where the superintendent issues an  
22 exemption from the prohibition in this subsection pursuant to the  
23 provisions of section 4 of P.L.2009, c.186 (C.2C:58-3.4).
- 24 The provisions of this subsection shall not be construed to afford  
25 or authorize any other exemption from the regulatory provisions  
26 governing firearms set forth in chapter 39 and chapter 58 of Title  
27 2C of the New Jersey Statutes;
- 28 A person shall not be restricted as to the number of rifles or  
29 shotguns he may purchase, provided he possesses a valid firearms  
30 purchaser identification card and provided further that he signs the  
31 certification required in subsection b. of this section for each  
32 transaction.
- 33 j. Firearms passing to heirs or legatees. Notwithstanding any  
34 other provision of this section concerning the transfer, receipt or  
35 acquisition of a firearm, a permit to purchase or a firearms  
36 purchaser identification card shall not be required for the passing of  
37 a firearm upon the death of an owner thereof to his heir or legatee,  
38 whether the same be by testamentary bequest or by the laws of  
39 intestacy. The person who shall so receive, or acquire the firearm  
40 shall, however, be subject to all other provisions of this chapter. If  
41 the heir or legatee of the firearm does not qualify to possess or carry  
42 it, he may retain ownership of the firearm for the purpose of sale for  
43 a period not exceeding 180 days, or for a further limited period as  
44 may be approved by the chief law enforcement officer of the  
45 municipality in which the heir or legatee resides or the  
46 superintendent, provided that the firearm is in the custody of the  
47 chief law enforcement officer of the municipality or the  
48 superintendent during that period.

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

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

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

18 n. For the purposes of this section, "immediate family" means a  
19 spouse, domestic partner as defined in section 3 of P.L.2003,  
20 c.246 (C.26:8A-3), partner in a civil union couple as defined in  
21 section 2 of P.L.2006, c.103 (C.37:1-29), parent, stepparent,  
22 grandparent, sibling, stepsibling, child, stepchild, and grandchild, as  
23 related by blood or by law.  
24 (cf: P.L.2018, c.36, s.1)  
25

26 4. Section 1 of P.L.2007, c.318 (C.2C:58-3.3) is amended to  
27 read as follows:

28 1. a. As used in this act **["handgun"]**:

29 "Ammunition" means an object consisting of all of the following  
30 components: a fixed metallic or nonmetallic hull casing containing  
31 a primer; one or more projectiles, one or more bullets, or shot; and  
32 gunpowder. All of the specified components shall be present for an  
33 object to be ammunition. As used in this section, ammunition shall  
34 not include, without limitation, blank ammunition, air gun pellets,  
35 flare gun ammunition, nail gun ammunition, paint ball ammunition,  
36 or any non-fixed ammunition.

37 "Handgun ammunition" means ammunition **[specifically]**  
38 designed **[to]** such that it may be used **[only]** in a handgun,  
39 including ammunition specifically designed to be used only in a  
40 handgun, as well as ammunition intended for use in any other  
41 firearm and which may be interchangeable between rifles and  
42 handguns. "Handgun ammunition" shall not include **[blank**  
43 ammunition, air gun pellets, flare gun ammunition, nail gun  
44 ammunition, paint ball ammunition, or any non-fixed**]** ammunition  
45 specifically designed to be used only in a rifle or shotgun.

46 b. **[No]** A person shall not sell, give, transfer, assign or  
47 otherwise dispose of, or receive, purchase, or otherwise acquire

1 handgun ammunition unless the purchaser, assignee, donee, receiver  
2 or holder is licensed as a manufacturer, wholesaler, or dealer under  
3 this chapter or is the holder of and possesses a valid firearms  
4 purchaser identification card, a valid copy of a permit to purchase a  
5 handgun, or a valid permit to carry a handgun and first exhibits  
6 **【such】** the card or permit to the seller, donor, transferor, or assignor  
7 along with a valid, current driver's license; valid, current nondriver  
8 identification card; or other valid, current government-issued form  
9 of photo identification.

10 c. No person shall sell, give, transfer, assign, or otherwise  
11 dispose of handgun ammunition to a person who is under 21 years  
12 of age.

13 d. The provisions of this section shall not apply to a collector  
14 of firearms or ammunition as curios or relics who purchases,  
15 receives, acquires, possesses, or transfers handgun ammunition  
16 which is recognized as being historical in nature or of historical  
17 significance.

18 e. A person who violates this section shall be guilty of a crime  
19 of the fourth degree, except that nothing contained herein shall be  
20 construed to prohibit the sale, transfer, assignment or disposition of  
21 handgun ammunition to or the purchase, receipt or acceptance of  
22 ammunition by a law enforcement agency or law enforcement  
23 official for law enforcement purposes.

24 f. Nothing in this section shall be construed to prohibit the  
25 transfer of ammunition for use in a lawfully transferred firearm in  
26 accordance with the provisions of section 1 of P.L.1992,  
27 c.74 (C.2C:58-3.1), section 1 of P.L.1997, c.375 (C.2C:58-3.2) or  
28 section 14 of P.L.1979, c.179 (C.2C:58-6.1).

29 g. Nothing in this section shall be construed to prohibit the sale  
30 of a de minimis amount of handgun ammunition at a firearms range  
31 operated by a licensed dealer; a law enforcement agency; a legally  
32 recognized military organization; or a rifle or pistol club which has  
33 filed a copy of its charter with the superintendent for immediate use  
34 at that range.

35 (cf: P.L.2007, c.318, s.1)

36

37 5. (New section) a. (1) The Superintendent of State Police  
38 shall develop a program for retail dealers of handgun ammunition to  
39 electronically report a record of any transaction involving the sale,  
40 transfer, assignment, or disposition of handgun ammunition and  
41 information relating to each transaction. The reported information  
42 shall include: the date of the transaction; the name of the  
43 manufacturer, the caliber or gauge, and the quantity of ammunition  
44 sold or transferred; the name, address, and date of birth of the  
45 purchaser; the identification used to establish the identity of the  
46 purchaser; and any other information the superintendent may  
47 require.

1 (2) Subject to the time limitations established in paragraph (2)  
2 of subsection c. of section 2 of P.L. , c. (C. ) (pending  
3 before the Legislature as this bill), every retail dealer of  
4 ammunition as defined in section 1 of P.L.2007, c.318 (C.2C:58-  
5 3.3) shall electronically report to the superintendent a record of any  
6 transaction involving the sale, transfer, assignment, or disposition  
7 of handgun ammunition by utilizing the program developed  
8 pursuant to this subsection.

9 A retail dealer may charge a fee determined by the  
10 superintendent for a transaction electronically reported pursuant to  
11 this subsection.

12 b. (1) The superintendent shall develop a program for retail  
13 dealers to electronically report a record of any transaction involving  
14 the sale, transfer, assignment, or disposition of a firearm and  
15 information relating to each transaction.

16 (2) Within a timeframe as determined by the superintendent,  
17 every retail dealer of firearms shall electronically report to the  
18 superintendent a record of any transaction involving the sale,  
19 transfer, assignment, or disposition of a firearm by utilizing the  
20 program developed pursuant to this subsection.

21 c. The superintendent shall establish a searchable, electronic  
22 database containing the information reported pursuant subsections  
23 a. and b. of this section, which shall be available to law  
24 enforcement officers. The superintendent also shall establish  
25 security procedures to protect the confidentiality of the information  
26 contained in the database, which shall prevent access to the  
27 information by any person or entity that is not lawfully entitled to  
28 it.

29 d. The superintendent shall develop an Internet-based or other  
30 electronic system to process or facilitate the processing of any or all  
31 of the following: application for and issuance of firearms purchaser  
32 identification cards, permits to purchase a handgun, or other permits  
33 authorized under this chapter.

34 e. Any record reported or produced pursuant to this section  
35 shall not be considered a public record or government record  
36 pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.) or P.L.2001,  
37 c.404 (C.47:1A-5 et al.).

38  
39 6. This act shall take effect immediately.  
40  
41

42 STATEMENT  
43

44 This bill regulates the sale of handgun ammunition. Under current  
45 law, handgun ammunition is regulated to the extent that a purchaser is  
46 to establish his or her eligibility by exhibiting a firearms purchaser  
47 identification card, a permit to purchase a handgun, or a permit to  
48 carry a handgun, and that he or she is 21 years of age or older. This



1 bill requires an ammunition purchaser to also exhibit a driver's license,  
2 nondriver identification card, or other government-issued form of  
3 photo identification at the time of purchase.

4 The bill requires a manufacturer or dealer of handgun ammunition  
5 to keep a detailed, electronic record of handgun ammunition sales.  
6 The electronic record maintained by the manufacturer or wholesale  
7 dealer is required to contain the date of the transaction; the type,  
8 caliber, or gauge of the ammunition; the quantity of ammunition sold;  
9 the name and address of the purchaser; and any other information  
10 deemed necessary by the Superintendent of State Police. The  
11 electronic record maintained by the retail dealer is required to contain  
12 the name of the manufacturer, the date of the transaction, the type,  
13 caliber, or gauge of the ammunition; the quantity of the ammunition  
14 sold; the name, address, and date of birth of the purchaser; the  
15 identification used to establish the identity of the purchaser; and any  
16 other information deemed necessary by the superintendent. A  
17 manufacturer or dealer that is unable to maintain record in an  
18 electronic form is to be given 12 months from the effective date of this  
19 bill to establish a system for maintaining electronic records of the  
20 transfer of handgun ammunition. The electronic records are required  
21 to be made available for inspection at all reasonable hours by any law  
22 enforcement officer.

23 In addition, the bill requires electronic reporting of handgun,  
24 firearm, and handgun ammunition sales. Under the bill, every retail  
25 dealer is required to electronically report firearm, handgun, and  
26 handgun ammunition sales and transfers to the superintendent. The  
27 superintendent would be required to develop a program for retail  
28 dealers to electronically report this information. Regarding handgun  
29 ammunition, the reported information is to include the date of the  
30 transaction; the name of the manufacturer, the caliber or gauge, and  
31 the quantity of ammunition sold or transferred; the name, address, and  
32 date of birth of the purchaser; the identification used to establish the  
33 identity of the purchaser; and any other information that the  
34 superintendent requires. A retail dealer of handgun ammunition may  
35 charge a fee not to exceed \$5 for a transaction that is required to be  
36 electronically reported.