

[Second Reprint]

**ASSEMBLY, No. 4769**

**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

INTRODUCED OCTOBER 13, 2022

**Sponsored by:**

**Assemblyman JOE DANIELSEN**

**District 17 (Middlesex and Somerset)**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Assemblywoman MILA M. JASEY**

**District 27 (Essex and Morris)**

**Assemblyman JOHN F. MCKEON**

**District 27 (Essex and Morris)**

**Assemblywoman ELLEN J. PARK**

**District 37 (Bergen)**

**Assemblywoman ANNETTE CHAPARRO**

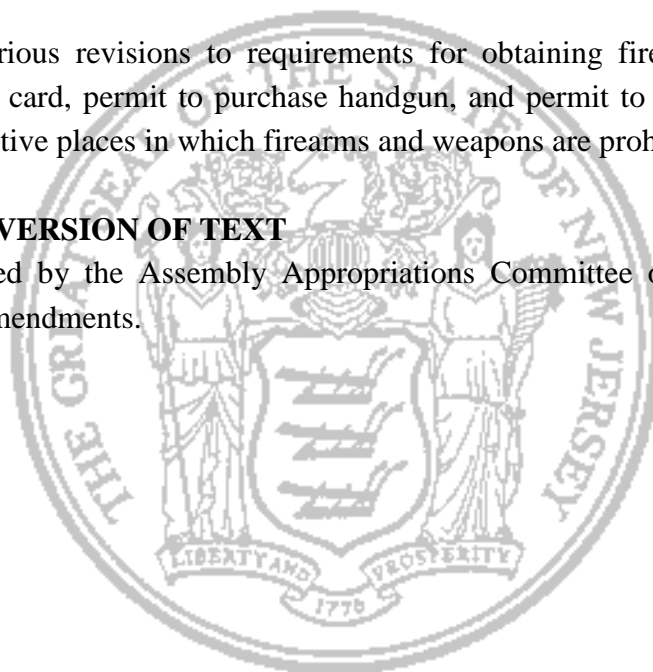
**District 33 (Hudson)**

**SYNOPSIS**

Makes various revisions to requirements for obtaining firearm purchaser identification card, permit to purchase handgun, and permit to carry handgun; codifies sensitive places in which firearms and weapons are prohibited.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Appropriations Committee on October 20, 2022, with amendments.



**(Sponsorship Updated As Of: 10/20/2022)**

1 AN ACT concerning the sale and possession of firearms and  
2 supplementing and amending various parts of the statutory law.

3

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

6

7 1. (New section) The Legislature finds and declares that:

8 a. The decision of the United States Supreme Court in New  
9 York State Rifle & Pistol Association v Bruen holds significant  
10 implications for carrying a handgun in New Jersey and the law  
11 governing the issuance of permits to carry a handgun. The Bruen  
12 decision establishes that states cannot deny permits to carry a  
13 handgun to otherwise-qualified citizens who fail to show that they  
14 have the “proper cause” to carry a handgun. New Jersey law relies  
15 on a similar standard, considering whether an applicant has a  
16 “justifiable need,” in determining whether to issue a permit to carry  
17 a handgun.

18 b. In accordance with the precedent established in the Bruen  
19 decision, laws requiring showings of particularized need are no  
20 longer legally viable to determine whether a person may carry a  
21 handgun in public. The Bruen decision does make clear, however,  
22 that the Legislature can enact laws to protect our communities from  
23 threats to public health, safety, and welfare posed by gun violence,  
24 which take into account as appropriate the Supreme Court’s Second  
25 Amendment ruling while continuing to promote and enhance public  
26 safety.

27 c. Statistics show that expanding handgun carrying creates  
28 safety risks, helping to fuel the epidemic of gun violence. For  
29 example, a study by researchers at the Johns Hopkins Bloomberg  
30 School of Public Health found that the estimated average rate of  
31 officer-involved shootings increased by 12.9 percent in ten states  
32 that relaxed restrictions between 2014 and 2020 on civilians  
33 carrying concealed firearms in public. Accordingly, evidence  
34 demonstrates that more guns on the streets can translate into more  
35 acts of gun violence. To mitigate the impact of having more people  
36 carrying guns in public places, steps must be taken to better ensure  
37 that those who exercise the right to carry are responsible, law-  
38 abiding, and appropriately trained individuals who would not pose  
39 undue safety risks if armed in public places.

40 d. In Bruen, the Supreme Court recognized that states may  
41 prohibit individuals who are not “law-abiding, responsible citizens”  
42 from carrying firearms in public, and endorsed the use of “licensing  
43 requirements for carrying a handgun for self-defense.” Although the  
44 Court did not provide a complete list of lawful requirements, it

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AJU committee amendments adopted October 17, 2022.

<sup>2</sup>Assembly AAP committee amendments adopted October 20, 2022.

1 specifically cited a “background check, mental health check, training  
2 in firearms handling and in laws regarding the use of force, among  
3 other possible requirements” as permissible. The purpose of these  
4 checks, the Court explained, is to “ensure only that those bearing  
5 arms in the jurisdiction are in fact, ‘law-abiding, responsible  
6 citizens.’” It is thus important to bolster and improve the process in  
7 this State for ensuring that only such individuals possess and carry  
8 firearms. Toward that end, this act strengthens the criteria and  
9 background investigation requirements that are used to determine  
10 whether an applicant is qualified to carry a firearm in New Jersey.

11 e. This act also designates places in which the carrying of a  
12 weapon is prohibited. Previously, application of the justifiable need  
13 standard minimized the serious dangers of misuse and accidental  
14 use inherent in the carrying of handguns in a public place. Given  
15 the likelihood that a much greater number of individuals will now  
16 qualify to carry handguns in public, it is now both necessary and  
17 appropriate to clearly identify in the law those sensitive places  
18 where, due to heightened public safety concerns, carrying a weapon  
19 of any kind, including a handgun, is not permissible. These  
20 prohibitions are based on common sense principles and historical  
21 analogues.

22 f. Notwithstanding its rejection of a particularized need  
23 standard, the Bruen decision recognizes that the carrying of  
24 firearms in sensitive places can “be prohibited consistent with the  
25 Second Amendment.” Indeed, the Court assumed it settled that  
26 “laws forbidding the carrying of firearms in sensitive places such  
27 as schools and government buildings,” as well <sup>1</sup>as<sup>1</sup> other places  
28 such as “legislative assemblies, polling places, and courthouses,”  
29 are “longstanding” and not subject to disputes regarding their  
30 constitutionality. The Court added that other “sensitive place”  
31 regulations may be permissible if “consistent with the Second  
32 Amendment’s text and historical understanding” – that is,  
33 “relevantly similar” to historical analogues.

34 g. The sensitive-place prohibitions on dangerous weapons set  
35 forth in this act are rooted in history and tradition. They are  
36 analogous to historical laws that can be found from the Founding  
37 era to Reconstruction, which are also found in modern laws in many  
38 states. History and tradition support at least the following location-  
39 based restrictions on carrying firearms:

40 (1) Places that are the site of core constitutional activity, such as  
41 but not limited to the exercise of First Amendment rights, or that  
42 are otherwise vital to the functioning of democracy and our system  
43 of government. That includes prohibitions of firearms in facilities  
44 within the criminal justice system;

45 (2) Schools, universities, other educational institutions, where  
46 people assemble for educational purposes and for the purposes of  
47 teaching, learning, research, and the pursuit of knowledge;

1 (3) Parks and other recreation spaces, including locations where  
2 children congregate;

3 (4) Locations that protect vulnerable classes of people, such as  
4 the young and the frail;

5 (5) Places where intoxicating substances are sold, places where  
6 large groups of individuals congregate, and places where volatile  
7 conditions may pose a threat to public safety; and

8 (6) Various forms of transportation and public infrastructure,  
9 whose safety, security, and stability are critical to supporting social  
10 function.

11 h. The historical record also supports restriction of firearm  
12 possession on private property when the owner has not given their  
13 consent. Many states require a property owner's permission before  
14 another may enter private dwellings and private lands with a  
15 firearm or other weapons. Requiring consent from the property  
16 owner before carrying weapons onto private property is also in line  
17 with both the reasonable expectations and property rights of New  
18 Jersey property owners.

19 i. Additionally, the fees to obtain a firearms purchaser  
20 identification permit or a permit to purchase a handgun in New  
21 Jersey were initially set by statute over 50 years ago at \$5 and \$2,  
22 respectively, and in over a half century the law has never been  
23 changed to increase these fees, notwithstanding the impact of  
24 inflation, increasing costs of background checks and related  
25 investigations, and the investment made over the years to  
26 technologically upgrade the firearms application and registration  
27 system established and maintained by the New Jersey State Police.

28 j. Accordingly, the Legislature finds it is necessary and proper  
29 to revise this State's procedural and substantive laws related to  
30 firearms to update the process and the standards applicable to  
31 firearm purchase and possession as well as our handgun carry law,  
32 and to continue to promote public safety and reduce gun violence in  
33 a manner consistent with the Second Amendment principles  
34 articulated by the current Supreme Court jurisprudence. These  
35 revisions will focus on factors other than the need or purpose a  
36 person may assert as justification to carry a handgun, such as the  
37 person's background and qualifications, with the ultimate goal of  
38 keeping New Jersey streets and neighborhoods safe from gun  
39 violence.

40

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

42 2C:58-3. a. Permit to purchase a handgun.

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

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

5 The provisions of this paragraph shall not apply if the transaction  
6 is:

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

9 (b) between law enforcement officers;

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

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

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

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

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

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

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

33 b. Firearms purchaser identification card.

34 (1) **[No]** A person shall not sell, give, transfer, assign or  
35 otherwise dispose of nor receive, purchase or otherwise acquire an  
36 antique cannon or a rifle or shotgun, other than an antique rifle or  
37 shotgun, unless the purchaser, assignee, donee, receiver or holder is  
38 licensed as a dealer under this chapter or possesses a valid firearms  
39 purchaser identification card, and first exhibits the card to the seller,  
40 donor, transferor or assignor, and unless the purchaser, assignee,  
41 donee, receiver or holder signs a written certification, on a form  
42 prescribed by the superintendent, which shall indicate that **[he]** the  
43 person presently complies with the requirements of subsection c. of  
44 this section and shall contain **[his]** the person's name, address and  
45 firearms purchaser identification card number or dealer's  
46 registration number. The certification shall be retained by the  
47 seller, as provided in paragraph (4) of subsection a. of N.J.S.2C:58-  
48 2, or, in the case of a person who is not a dealer, it may be filed

1 with the chief of police of the municipality in which **[he]** the  
2 person resides or with the superintendent.

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

8 The provisions of this paragraph shall not apply if the transaction  
9 is:

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

12 (b) between law enforcement officers;

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

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

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

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

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

31 (c) a retail dealer may charge a fee, not to exceed **['\$25] \$70'**,  
32 for a transaction conducted pursuant to this subsection; and

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

36 c. Who may obtain. **[No]** Except as hereinafter provided, a  
37 person [of good character and good repute] shall not be denied a  
38 permit to purchase a handgun or a firearms purchaser identification  
39 card, unless the person is known in the community in which [he]  
40 the person lives as someone who has engaged in acts or made  
41 statements suggesting the person is likely to engage in conduct,  
42 other than justified self-defense, that would pose a danger to self or  
43 others, [and who] or is [not] subject to any of the disabilities set  
44 forth in this section or other sections of this chapter [, shall be  
45 denied a permit to purchase a handgun or a firearms purchaser  
46 identification card, except as hereinafter set forth]. [No] A

1 handgun purchase permit or firearms purchaser identification card  
2 shall not be issued:

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

7 (2) To any drug-dependent person as defined in section 2 of  
8 P.L.1970, c.226 (C.24:21-2), to any person who is presently  
9 confined for a mental disorder **【**to a hospital, mental institution or  
10 sanitarium**】** as a voluntary admission as defined in section 2 of  
11 P.L.1987, c.116 (C.30:4-27.2) or involuntarily committed to  
12 inpatient or outpatient treatment pursuant to section 1 of P.L.1987,  
13 c.116 (C.30:4-27.1), or to any person who is presently 【an habitual  
14 drunkard】 an alcoholic, as defined by section 2 of P.L.1975, c.305  
15 (C.26:2B-8);

16 (3) To any person who suffers from a physical defect or disease  
17 which would make it unsafe for **【him】** that person to handle  
18 firearms, **【**to any person who has ever been confined for a mental  
19 disorder,**】** or to any alcoholic as defined by section 2 of P.L.1975,  
20 c.305 (C.26:2B-8) unless any of the foregoing persons produces a  
21 certificate of a medical doctor or psychiatrist licensed in New  
22 Jersey, or other satisfactory proof, that **【he】** the person is no longer  
23 suffering from that particular disability in a manner that would  
24 interfere with or handicap **【him】** that person in the handling of  
25 firearms; to any person who knowingly falsifies any information on  
26 the application form for a handgun purchase permit or firearms  
27 purchaser identification card;

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

31 (5) To any person where the issuance would not be in the interest  
32 of the public health, safety or welfare because the person is found to  
33 be lacking the essential character <sup>1</sup>【or】 of<sup>1</sup> temperament necessary  
34 to be entrusted with a firearm;

35 (6) To any person who is subject to or has violated a temporary  
36 or final restraining order issued pursuant to the "Prevention of  
37 Domestic Violence Act of 1991", P.L.1991, c.261 (C.2C:25-17 et  
38 seq.) prohibiting the person from possessing any firearm or a  
39 temporary or final domestic violence restraining order issued in  
40 another jurisdiction prohibiting the person from possessing any  
41 firearm;

42 (7) To any person who as a juvenile was adjudicated delinquent  
43 for an offense which, if committed by an adult, would constitute a  
44 crime and the offense involved the unlawful use or possession of a  
45 weapon, explosive or destructive device or is enumerated in  
46 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, c.261  
3 (C.2C:25-17 et seq.) and whose firearm has not been returned; or
- 4 (9) To any person named on the consolidated Terrorist Watchlist  
5 maintained by the Terrorist Screening Center administered by the  
6 Federal Bureau of Investigation;
- 7 (10) To any person who is subject to or has violated a court order  
8 prohibiting the custody, control, ownership, purchase, possession,  
9 or receipt of a firearm or ammunition issued pursuant to the  
10 "Extreme Risk Protective Order Act of 2018", P.L.2018, c.35  
11 (C.2C:58-20 et al.);
- 12 (11) To any person who is subject to or has violated a court order  
13 prohibiting the custody, control, ownership, purchase, possession,  
14 or receipt of a firearm or ammunition issued pursuant to P.L.2021,  
15 c.327 (C.2C:12-14 et al.);
- 16 (12) To any person who is subject to or has violated a temporary  
17 or final restraining order issued pursuant to the "Sexual Assault  
18 Survivor Protection Act of 2015," P.L.2015, c.147 (C.2C:14-13 et  
19 al.);
- 20 (13) To any person who has previously been voluntarily admitted  
21 or involuntarily committed to inpatient or outpatient treatment  
22 pursuant to section 1 of P.L.1987, c.116 (C.30:4-27.1), unless the  
23 court has expunged the person's record pursuant to P.L.1953, c.268  
24 (C.30:4-80.8 et seq.);
- 25 (14) To any person who is subject to an outstanding arrest  
26 warrant for an indictable crime in this State or for a felony, other  
27 than a felony to which section 1 of P.L.2022, c.50 (C.2A:160-14.1)  
28 would apply, in any other state or federal jurisdiction;
- 29 (15) To any person who is a fugitive from justice due to having  
30 fled from any state or federal jurisdiction to avoid prosecution for a  
31 crime, other than a crime to which section 1 of P.L.2022, c.50  
32 (C.2A:160-14.1) would apply, or to avoid giving testimony in any  
33 criminal proceeding; or
- 34 (16) To any person who has been convicted of <sup>2</sup>**[more than one]**  
35 a<sup>2</sup> crime of the fourth degree in violation of sections 4, 5, or 6 of  
36 P.L. , c. (C. )(pending before the Legislature as this bill).
- 37 In order to obtain a permit to purchase a handgun or a firearms  
38 purchaser identification card, the applicant shall demonstrate that,  
39 within four years prior to the date of the application, the applicant  
40 satisfactorily completed a course of instruction approved by the  
41 superintendent in the lawful and safe handling and storage of  
42 firearms. The applicant shall be required to demonstrate  
43 completion of a course of instruction only once prior to obtaining  
44 either a firearms purchaser identification card or the applicant's first  
45 permit to purchase a handgun.
- 46 The applicant shall not be required to demonstrate completion of  
47 a course of instruction in order to obtain any subsequent permit to  
48 purchase a handgun, to replace an existing firearms purchaser



1 identification card, or to renew a firearms purchaser identification  
2 card.

3 An applicant who is a law enforcement officer who has satisfied  
4 the requirements of subsection j. of N.J.S.2C:39-6, a retired law  
5 enforcement officer who has satisfied the requirements of  
6 subsection l. of N.J.S.2C:39-6, or a veteran who was honorably  
7 discharged as a member of the United States Armed Forces or  
8 National Guard who received substantially equivalent training shall  
9 not be required to complete the course of instruction required  
10 pursuant to the provisions of this subsection.

11 A person who obtained a permit to purchase a handgun or a  
12 firearms purchaser identification card prior to the effective date of  
13 P.L.2022, c.58 shall not be required to complete a course of  
14 instruction pursuant to this subsection.

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

21 A firearms purchaser identification card issued following the  
22 effective date of P.L.2022, c.58 shall display a color photograph  
23 and **【a thumb print】** be electronically linked to the fingerprints of  
24 the card holder. A person who obtained a firearms purchaser  
25 identification card prior to the effective date of P.L.2022, c.58 shall  
26 not be required to obtain a firearm purchaser identification card that  
27 displays a color photograph and **【a thumb print】** is electronically  
28 linked to the fingerprints. The superintendent shall establish  
29 guidelines as necessary to effectuate the issuance of firearms  
30 purchaser identification cards that display a color photograph and  
31 **【a thumb print】** which is electronically linked to the fingerprints of  
32 the card holder.

33 The requirements of this subsection concerning firearms  
34 purchaser identification cards issued following the effective date of  
35 P.L.2022, c.58 shall remain inoperative until such time as the  
36 superintendent establishes a system to produce cards that comply  
37 with this requirement and, until such time, applicants issued a  
38 firearms purchaser identification card shall be provided with cards  
39 that do not conform to the requirements of this section, which shall  
40 be afforded force and effect until such time as the system is  
41 established and a compliant card is issued in accordance with this  
42 subsection. An applicant issued a non-compliant firearms purchaser  
43 identification card shall obtain a card, at no cost to the applicant,  
44 which conforms to the requirements of this section no later than one  
45 year after receiving notice that the system to produce cards that  
46 comply with this requirement is operational.

47 If an application for a permit or identification card is denied, the  
48 applicant shall be provided with a written statement of the reasons

1 for the denial. Any person aggrieved by the denial of a permit or  
2 identification card may request a hearing in the Superior Court of  
3 the county in which **[he]** the person resides if **[he]** the person is a  
4 resident of New Jersey or in the Superior Court of the county in  
5 which **[his]** the person's application was filed if **[he]** the person is  
6 a nonresident. The request for a hearing shall be made in writing  
7 within 30 days of the denial of the application for a permit or  
8 identification card. The applicant shall serve a copy of **[his]** the  
9 request for a hearing upon the chief of police of the municipality in  
10 which he resides, if **[he]** the person is a resident of New Jersey, and  
11 upon the superintendent in all cases. The hearing shall be held and  
12 a record made thereof within **[30]** 60 days of the receipt of the  
13 application for a hearing by the judge of the Superior Court. No  
14 formal pleading and no filing fee shall be required as a preliminary  
15 to a hearing. Appeals from the results of a hearing shall be in  
16 accordance with law.

17 The Administrative Director of the Courts shall coordinate with  
18 the superintendent in the development of an electronic filing system  
19 to receive requests for hearings and serve the chief of police and  
20 superintendent as required in this section.

21 e. Applications. Applications for permits to purchase a  
22 handgun and for firearms purchaser identification cards shall be in  
23 the form prescribed by the superintendent and shall set forth the  
24 name, residence, place of business, age, date of birth, occupation,  
25 **[sex]** any aliases or other names previously used by the applicant,  
26 gender, and physical description, including distinguishing physical  
27 characteristics, if any, of the applicant, and shall state whether the  
28 applicant is a citizen, whether **[he]** the applicant is an alcoholic **[,**  
29 habitual drunkard,] as defined in section 2 of P.L.1975, c. 305 (C.  
30 26:2B-8) or is a drug-dependent person as defined in section 2 of  
31 P.L.1970, c.226 (C.24:21-2), whether **[he]** the applicant has ever  
32 been confined or committed to a mental institution or hospital for  
33 treatment or observation of a mental or psychiatric condition on a  
34 temporary, interim or permanent basis, giving the name and  
35 location of the institution or hospital and the dates of confinement  
36 or commitment, whether **[he]** the applicant has been attended,  
37 treated or observed by any doctor or psychiatrist or at any hospital  
38 or mental institution on an inpatient or outpatient basis for any  
39 mental or psychiatric condition, giving the name and location of the  
40 doctor, psychiatrist, hospital or institution and the dates of the  
41 occurrence, whether **[he]** the applicant presently or ever has been a  
42 member of any organization which advocates or approves the  
43 commission of acts of force and violence to overthrow the  
44 Government of the United States or of this State, or which seeks to  
45 deny others their rights under the Constitution of either the United  
46 States or the State of New Jersey, whether **[he]** the applicant has  
47 ever been convicted of a crime or disorderly persons offense,

1 whether the **person** applicant is subject to a restraining order  
2 issued pursuant to the "Prevention of Domestic Violence Act of  
3 1991", P.L.1991, c.261 (C.2C:25-17 et seq.) prohibiting the  
4 **person** applicant from possessing any firearm, whether the  
5 **person** applicant is subject to a protective order issued pursuant  
6 to the "Extreme Risk Protective Order Act of 2018", P.L.2018, c.35  
7 (C.2C:58-20 et al.), whether the **person** applicant is subject to a  
8 protective order issued pursuant to P.L.2021, c.327 (C.2C:12-14 et  
9 al.) prohibiting the **person** applicant from possessing any firearm,  
10 and other information as the superintendent shall deem necessary  
11 for the proper enforcement of this chapter. For the purpose of  
12 complying with this subsection, the applicant shall waive any  
13 statutory or other right of confidentiality relating to institutional  
14 confinement. The application shall be signed by the applicant and  
15 shall contain as references the names and addresses of two  
16 reputable citizens personally acquainted with **him** the applicant.

17 An <sup>2</sup>**application** applicant<sup>2</sup> for a permit to purchase a handgun  
18 shall also <sup>2</sup>**indicate** certify<sup>2</sup>, with respect to each handgun listed  
19 on the form, whether the applicant is purchasing the handgun on the  
20 applicant's own behalf or <sup>2</sup>, if not, that the purchase is being made<sup>2</sup>  
21 on behalf of a third party <sup>2</sup>**and shall specify that the applicant is**  
22 **not an actual purchaser if the applicant is acquiring the handgun on**  
23 **behalf of another person, unless otherwise permitted by law** to  
24 **whom the applicant may lawfully transfer the handgun**<sup>2</sup>.

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

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

45 f. Granting of permit or identification card; fee; term; renewal;  
46 revocation. The application for the permit to purchase a handgun

1 together with a fee of ~~【\$2】~~ \$25, or the application for the firearms  
2 purchaser identification card together with a fee of ~~【\$5】~~ \$50, shall  
3 be delivered or forwarded to the licensing authority who, upon  
4 determining that the application is complete, shall investigate the  
5 same and, unless good cause for the denial thereof appears, shall  
6 grant the permit or the identification card, or both, if application has  
7 been made therefor, within 30 days from the date of receipt of the  
8 completed application for residents of this State and within 45 days  
9 for nonresident applicants. A permit to purchase a handgun shall be  
10 valid for a period of 90 days from the date of issuance and may be  
11 renewed by the issuing authority for good cause for an additional 90  
12 days. A firearms purchaser identification card issued or renewed  
13 after the effective date of P.L.2022, c.58 shall expire during the  
14 tenth calendar year following its date of issuance and on the same  
15 calendar day as the person's date of birth.

16 If the date of birth of the firearms purchaser identification card  
17 holder does not correspond to a calendar day of the tenth calendar  
18 year, the card shall expire on the last day of the birth month of the  
19 card holder.

20 A firearms purchaser identification card issued pursuant to this  
21 section may be renewed upon filing of a renewal application and  
22 payment of the required fee, provided that the holder is not subject  
23 to any of the disabilities set forth in subsection c. of this section and  
24 complies with all other applicable requirements as set forth in  
25 statute and regulation. If an application for renewal of a firearm  
26 purchaser identification card is denied, the applicant shall be  
27 provided with a written statement of the reasons for the denial. Any  
28 person aggrieved by the denial of an application for renewal of a  
29 firearm purchaser identification card may request a hearing in the  
30 Superior Court of the county in which the person resides if the  
31 person is a resident of New Jersey or in the Superior Court of the  
32 county in which the person's application was filed if the person is a  
33 nonresident. The request for a hearing shall be made in writing  
34 within 30 days of the denial of the application for renewal of the  
35 firearm purchaser identification card. The applicant shall serve a  
36 copy of the request for a hearing upon the chief of police of the  
37 municipality in which the applicant resides, if the person is a  
38 resident of New Jersey, and upon the superintendent in all cases.  
39 The hearing shall be held and a record made thereof within 60 days  
40 of the receipt of the application for a hearing by the judge of the  
41 Superior Court. A formal pleading and filing fee shall not be  
42 required as a preliminary to a hearing. Appeals from the results of a  
43 hearing shall be in accordance with law.

44 The Administrative Director of the Courts shall coordinate with  
45 the superintendent in the development of an electronic filing system  
46 to receive requests for hearings and serve the chief of police and  
47 superintendent as required in this section.

1 A firearms purchaser identification card issued prior to the  
2 effective date of P.L.2022, c.58 shall not expire.

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

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

21 g. Disposition of fees. All fees for permits shall be paid to the  
22 State Treasury for deposit into the Victims of Crime Compensation  
23 Office account if the permit is issued by the superintendent, to the  
24 municipality if issued by the chief of police, and to the county  
25 treasurer if issued by the judge of the Superior Court.

26 h. Form of permit; **【quadruplicate】** establishment of a web  
27 portal; disposition of **【copies】** the completed information. (1)  
28 Except as otherwise provided in paragraph (2) of this subsection,  
29 the permit shall be in the form prescribed by the superintendent and  
30 shall be issued to the applicant **【in quadruplicate】** electronically  
31 through e-mail or the web portal established or designated for this  
32 purpose by the superintendent or in such form or manner as may be  
33 authorized by the superintendent. Prior to the time **【he】** the  
34 applicant receives the handgun from the seller, the applicant shall  
35 **【deliver】** provide to the seller an acknowledgement of the permit in  
36 **【quadruplicate】** the form required under the process established by  
37 the superintendent, and the seller shall complete all of the  
38 information required on the **【form】** web portal. **【Within five days**  
39 **of the date of the sale, the seller shall forward the original copy】**  
40 This information shall be forwarded to the superintendent through  
41 the web portal, or in such other manner as may be authorized by the  
42 superintendent, and **【the second copy】** to the chief of police of the  
43 municipality in which the purchaser resides, except that in a  
44 municipality having no chief of police, **【the copy】** the information  
45 shall be forwarded to the superintendent. The **【third copy shall then**  
46 **be returned to the】** purchaser **【with the pistol or revolver】** shall  
47 retain a copy of the completed information and the **【fourth copy**

1 shall be kept by the ] seller shall retain a copy of the completed  
2 information as a permanent record.

3 A transfer of a handgun between or among immediate family  
4 members, law enforcement officers, or collectors of firearms or  
5 ammunition as curios or relics shall be conducted via the web portal  
6 established or designated by the superintendent, which shall include  
7 among other things a certification that the seller and purchaser are  
8 in fact immediate family members, law enforcement officers, or  
9 collectors of firearms or ammunition as curios or relics.

10 (2) The requirements of this subsection concerning the delivery  
11 and form of permit and disposition of copies shall not be applicable  
12 when these functions may be completed by utilizing an electronic  
13 system as described in paragraph (2) of subsection b. of  
14 N.J.S.2C:58-2 or section 5 of P.L.2022, c.55 (C.2C:58-3.3a).

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

19 (1) 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 (2) 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]** the  
24 collector's possession a valid Collector of Curios and Relics  
25 License issued by the federal Bureau of Alcohol, Tobacco, Firearms  
26 and Explosives;

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

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

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

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

39 The provisions of this subsection shall not be construed to afford  
40 or authorize any other exemption from the regulatory provisions  
41 governing firearms set forth in chapter 39 and chapter 58 of Title  
42 2C of the New Jersey Statutes;

43 A person shall not be restricted as to the number of rifles or  
44 shotguns **[he]** the person may purchase, provided **[he]** the person  
45 possesses a valid firearms purchaser identification card and  
46 provided further that **[he]** the person signs the certification required  
47 in subsection b. of this section for each transaction.

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

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

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

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

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

40 o. Registration of handguns owned by new residents. Any  
41 person who becomes a resident of this State following the effective  
42 date of P.L.2022, c.52 and who transports into this State a firearm  
43 that the person owned or acquired while residing in another state  
44 shall apply for a firearm purchaser identification card within 60  
45 days of becoming a New Jersey resident, and shall register any  
46 handgun so transported into this State within 60 days as provided in  
47 this subsection.

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

10 The registration statement shall be submitted to the law  
11 enforcement agency of the municipality in which the person resides  
12 or, if the municipality does not have a municipal law enforcement  
13 agency, any State Police station.

14 Within 60 days prior to the effective date of P.L.2022, c.52, the  
15 superintendent shall prepare the form of registration statement as  
16 described in this subsection and shall provide a suitable supply of  
17 statements to each organized full-time municipal police department  
18 and each State Police station.

19 A person who fails to apply for a firearm purchaser identification  
20 card or register a handgun as required pursuant to this subsection  
21 shall be granted 30 days to comply with the provisions of this  
22 subsection. If the person does not comply within 30 days, the  
23 person shall be liable to a civil penalty of \$250 for a first offense  
24 and shall be guilty of a disorderly persons offense for a second or  
25 subsequent offense.

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

30 The civil penalty shall be collected pursuant to the "Penalty  
31 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.) in  
32 a summary proceeding before the municipal court having  
33 jurisdiction. A law enforcement officer having enforcement  
34 authority in that municipality may issue a summons for a violation,  
35 and may serve and execute all process with respect to the  
36 enforcement of this subsection consistent with the Rules of Court.  
37 (cf: P.L.2022, c.58, s.1)

38

39 3. N.J.S.2C:58-4 is amended to read as follows:

40 2C:58-4. a. Scope and duration of authority. Any person who  
41 holds a valid permit to carry a handgun issued pursuant to this  
42 section shall be authorized to carry a handgun in a holster concealed  
43 on their person in all parts of this State, except as prohibited by  
44 subsection e. of N.J.S.2C:39-5 and section 7 of P.L. , c. (C. )  
45 (pending before Legislature as this bill). One permit shall be  
46 sufficient for all handguns owned by the holder thereof, but the  
47 permit shall apply only to a handgun carried by the actual and legal  
48 holder of the permit and, except as otherwise provided in subsection



1 b. of section 6 of P.L. , c. (C. )(pending before the  
2 Legislature as this bill), shall not be construed to authorize a holder  
3 to carry a handgun openly, provided that a brief, incidental  
4 exposure of a handgun while transferring it to or from a holster or  
5 due to the shifting of the person's body position or clothing shall be  
6 deemed a de minimis infraction within the contemplation of  
7 N.J.S.2C:2-11.

8 All permits to carry handguns shall expire two years from the  
9 date of issuance or, in the case of an employee of an armored car  
10 company, upon termination of **his** the employee's employment by  
11 the company occurring prior thereto whichever is earlier in time,  
12 and they may thereafter be renewed every two years in the same  
13 manner and subject to the same conditions as in the case of original  
14 applications.

15 b. Application forms. All applications for permits to carry  
16 handguns, and all applications for renewal of permits, shall be made  
17 on the forms and in the manner prescribed by the superintendent.  
18 Each application shall set forth the full name, date of birth, **sex**  
19 gender, residence, occupation, place of business or employment,  
20 any aliases or other names previously used by the applicant, and  
21 physical description of the applicant, and any other information the  
22 superintendent may prescribe for the determination of the  
23 applicant's eligibility for a permit and for the proper enforcement of  
24 this chapter. The application shall be signed by the applicant under  
25 oath, and shall be **indorsed** endorsed by **three** not less than four  
26 reputable persons who are not related by blood or by law to the  
27 applicant and have known the applicant for at least three years  
28 preceding the date of application, and who shall certify thereon that  
29 the applicant **is a person of good moral character and behavior**  
30 has not engaged in any acts or made any statements that suggest the  
31 applicant is likely to engage in conduct, other than lawful self-  
32 defense, that would pose a danger to the applicant or others. The  
33 reputable persons also shall provide relevant information supporting  
34 the certification, including the nature and extent of their  
35 relationship with the applicant and information concerning their  
36 knowledge of the applicant's use of drugs or alcohol.

37 c. Investigation and approval. Each application shall be  
38 accompanied by a \$200 application fee and shall in the first  
39 instance be submitted to the chief police officer of the municipality  
40 in which the applicant resides, or to the superintendent **,** if: (1)  
41 **if** the applicant is an employee of an armored car company **,**  
42 **or** ; (2) **if** there is no chief police officer in the municipality  
43 where the applicant resides **,** **or** ; (3) **if** the applicant does not  
44 reside in this State; or (4) the applicant is a mayor or other elected  
45 member of the municipal governing body.

46 In the case of an application made to the chief police officer of a  
47 municipality, \$150 of the fee shall be retained by the municipality

1 and the remaining \$50 shall be forwarded to the superintendent.  
2 The fee amount retained by the municipality shall be used to defray  
3 the costs of investigation, administration, and processing of the  
4 permit to carry handgun applications. Application fees made to the  
5 superintendent shall be deposited into the Victims of Crime  
6 Compensation Office account.

7 The chief police officer, or the superintendent, as the case may  
8 be, shall determine whether the application is complete and, if so,  
9 shall cause the fingerprints of the applicant to be taken and  
10 compared with any and all records maintained by the municipality,  
11 the county in which it is located, the State Bureau of Identification  
12 and the Federal Bureau of Identification. **【He】** The chief police  
13 officer or the superintendent, as the case may be, shall also determine  
14 and record a complete description of each handgun the applicant  
15 intends to carry. The chief police officer, or the superintendent, as  
16 the case may be, shall interview the applicant and the persons  
17 endorsing the application under subsection b. of this section, and  
18 shall make inquiry concerning, and investigate to the extent  
19 warranted, whether the applicant is likely to engage in conduct that  
20 would result in harm to the applicant or others, including, but not  
21 limited to, whether the applicant has any history of threats or acts of  
22 violence by the applicant directed toward self or others or any  
23 history of use, attempted use, or threatened use of physical force by  
24 the applicant against another person, or other incidents implicating  
25 the disqualifying criteria set forth in subsection c. of N.J.S.2C:58-3,  
26 including but not limited to determining whether the applicant has  
27 been subject to any recent arrests or criminal charges for  
28 disqualifying crimes or has been experiencing any mental health  
29 issues such as suicidal ideation or violent impulses, and the  
30 applicant's use of drugs or alcohol.

31 The chief police officer or the superintendent may require such  
32 other information from the applicant or any other person, including  
33 but not limited to publicly available statements posted or published  
34 online by the applicant, as the chief police officer or superintendent  
35 deems reasonably necessary to conduct the review of the  
36 application.

37 **【No】** An application shall not be approved by the chief police  
38 officer or the superintendent unless the applicant demonstrates that  
39 **【he】** the applicant is not subject to any of the disabilities set forth  
40 in subsection c. of N.J.S.2C:58-3, that 【he】 the applicant is  
41 thoroughly familiar with the safe handling and use of handguns,  
42 including providing proof of completion of any training or  
43 proficiency requirements established under the law, and that 【he  
44 has a justifiable need to carry a handgun】 the applicant is in  
45 compliance with the <sup>2</sup>【firearm carry】<sup>2</sup> liability insurance  
46 requirement of section 4 of P.L. , c. (C. )(pending before the  
47 Legislature as this bill).

1       【Each application form shall be accompanied by a written  
2 certification of justifiable need to carry a handgun, which shall be  
3 under oath and, in the case of a private citizen, shall specify in  
4 detail the urgent necessity for self-protection, as evidenced by  
5 specific threats or previous attacks which demonstrate a special  
6 danger to the applicant's life that cannot be avoided by means other  
7 than by issuance of a permit to carry a handgun. Where possible,  
8 the applicant shall corroborate the existence of any specific threats  
9 or previous attacks by reference to reports of the incidents to the  
10 appropriate law enforcement agencies.

11       If Once the application is 【not approved】 deemed complete by  
12 the chief police officer or the superintendent , if it is not approved  
13 or denied by the chief police officer or the superintendent within  
14 【60】 90 days of filing, it shall be deemed to have been approved  
15 【unless the applicant agrees】; provided, however, the chief police  
16 officer or the superintendent may, for good cause shown and upon  
17 written notification to the applicant, extend by up to an additional  
18 30 days the time period for which the application may be approved  
19 or denied. The written notification sent to the applicant shall  
20 provide a detailed explanation of the reasons for the extension. An  
21 applicant also may agree in writing to an additional extension of  
22 time 【in writing】 past the 120 day statutory time frame.

23       d. Issuance 【by Superior Court】 of permit; establishment of  
24 web portal; disposition of completed information; fee. If the  
25 application has been approved by the chief police officer or the  
26 superintendent, as the case may be, the 【applicant shall forthwith  
27 present it to the Superior Court of the county in which the applicant  
28 resides, or to the Superior Court in any county where he intends to  
29 carry a handgun, in the case of a nonresident or employee of an  
30 armored car company. The court shall】 chief police officer or the  
31 superintendent shall issue the permit to the applicant in the form  
32 prescribed by the superintendent.

33       The permit shall be issued to the applicant electronically through  
34 electronic mail or through the web portal established or designated  
35 for this purpose by the superintendent, or in such form or manner as  
36 may be authorized by the superintendent, if, but only if, 【it is  
37 satisfied】 the chief police officer or superintendent determines that  
38 the applicant:

39       (1) is a person 【of good character】 who has not engaged in any  
40 acts or made any statements that suggest the applicant is likely to  
41 engage in conduct, other than lawful self-defense, that would pose a  
42 danger to the applicant or others and who is not subject to any of  
43 the disabilities set forth in subsection c. of N.J.S.2C:58-3, 【that he  
44 is】;

45       (2) is thoroughly familiar with the safe handling and use of  
46 handguns 【,】 ; and 【that he has a justifiable need to carry a  
47 handgun in accordance with the provisions of subsection c. of this

1 section. The court may at its discretion issue a limited-type permit  
2 which would restrict the applicant as to the types of handguns he  
3 may carry and where and for what purposes the handguns may be  
4 carried】

5 (3) has completed the training requirements established pursuant  
6 to subsection g. of this section, provided that any requirement for  
7 classroom instruction and target training shall not be required for a  
8 renewal applicant who completed the instruction and training when  
9 obtaining a permit to carry a handgun issued within the previous  
10 two years; and

11 (4) is in compliance with the <sup>2</sup>【firearm carry】<sup>2</sup> liability  
12 insurance requirement of section 4 of P.L. , c. (C. )(pending before  
13 the Legislature as this bill).

14 At the time of issuance, the applicant shall pay to the county  
15 clerk of the county where the permit was issued a permit fee of  
16 **【\$20】 \$50.**

17 e. Appeals from denial of applications. An applicant who is  
18 denied a permit to carry a handgun shall be provided with a written  
19 statement of the reasons for the denial. Any **【person】** applicant  
20 aggrieved by the denial by the chief police officer or the  
21 superintendent of approval for a permit to carry a handgun may  
22 request a hearing in the Superior Court of the county in which **【he】**  
23 the applicant resides or in any county in which **【he】** the applicant  
24 intends to carry a handgun, in the case of a nonresident, by filing a  
25 written request for a hearing within 30 days of the denial. **【Copies】**  
26 The aggrieved applicant shall serve copies of the request **【shall be**  
27 **served】** upon the superintendent, the county prosecutor, and the  
28 chief police officer of the municipality where the applicant resides,  
29 if **【he】** the applicant is a resident of this State. The hearing shall be  
30 held within **【30】 60** days of the filing of the request, and no formal  
31 pleading or filing fee shall be required. Appeals from the  
32 determination at the hearing shall be in accordance with law and the  
33 rules governing the courts of this State.

34 **【If the superintendent or chief police officer approves an**  
35 **application and the Superior Court denies the application and**  
36 **refuses to issue a permit, the applicant may appeal the denial in**  
37 **accordance with law and the rules governing the courts of this**  
38 **State.】**

39 The Administrative Director of the Courts shall coordinate with  
40 the superintendent in the development of an electronic filing system  
41 to receive requests for hearings and serve the chief of police and  
42 superintendent as required in this section.

43 f. Revocation of permits. Any permit issued under this section  
44 shall be void at the time the holder thereof becomes subject to any  
45 of the disabilities set forth in subsection c. of N.J.S.2C:58-3, and  
46 the holder of a void permit shall immediately surrender the permit  
47 to the superintendent who shall give notice to the licensing

1 authority. Any permit may be revoked by the Superior Court, after  
2 hearing upon notice to the holder, if the court finds that the holder  
3 is no longer qualified for the issuance of a permit. The county  
4 prosecutor of any county, the chief police officer of any  
5 municipality, the superintendent, or any citizen may apply to the  
6 court at any time for the revocation of any permit issued pursuant to  
7 this section.

8 g. Training requirement. (1) The superintendent shall establish  
9 training requirements in the lawful and safe handling and storage of  
10 firearms, which shall consist of an online course of instruction, in-  
11 person classroom instruction, and target training administered by a  
12 certified firearm instructor on a firing range approved by the  
13 superintendent and on the list of approved ranges published on the  
14 State Police website. The training shall include, but not be limited to,  
15 demonstration of a level of proficiency in the use of a handgun in  
16 such manner as required by the superintendent and training,  
17 developed or approved in conjunction with the Police Training  
18 Commission, on justification in the use of deadly force under State  
19 law.

20 (2) A person who obtained a permit pursuant to this section prior to  
21 the effective date of P.L. , c. (C. ) (pending before the  
22 Legislature as this bill) shall comply with the training requirement  
23 established pursuant to this subsection within 90 days following the  
24 effective date of P.L. , c. (C. ) (pending before the Legislature  
25 as this bill)

26 h. For purposes of this section, "holster" means a device or  
27 sheath that secures a handgun which, at a minimum, is equipped  
28 with a retention strap, conceals and protects the main body of the  
29 firearm, maintains the firearm in a consistent and accessible  
30 position, and renders the trigger covered and inaccessible while the  
31 handgun is fully seated in the holster.

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

33  
34 4. (New section) a. Every private citizen who carries a  
35 handgun in public in this State shall maintain liability insurance  
36 coverage <sup>1</sup>【, under provisions approved by the Commissioner of  
37 Banking and Insurance,】<sup>1</sup> insuring against loss resulting from  
38 liability imposed by law for bodily injury, death, and property  
39 damage sustained by any person arising out of the ownership,  
40 maintenance, operation or use of a firearm carried in public wherein  
41 such coverage shall be at least in:

42 (1) an amount or limit of \$100,000, exclusive of interest and  
43 costs, on account of injury to, or death of, one person, in any one  
44 incident;

45 (2) an amount or limit, subject to such limit for any one person  
46 so injured or killed, of \$300,000, exclusive of interest and costs, on  
47 account of injury to or death of, more than one person, in any one  
48 incident; and

1 (3) an amount or limit of \$25,000, exclusive of interest and costs,  
2 for damage to property in any one incident.

3 b. <sup>2</sup>~~Proof of insurance as required in subsection a. of this~~  
4 ~~section shall be produced and displayed by the person carrying a~~  
5 ~~handgun in public upon request to any law enforcement officer or to~~  
6 ~~any person who has suffered or makes a good faith claim to have~~  
7 ~~suffered either injury or property damage arising out of the~~  
8 ~~ownership, maintenance, operation or use of a firearm carried in~~  
9 ~~public.] Proof of liability insurance, as required pursuant to~~  
10 ~~subsection a. of this section, shall be produced by the person~~  
11 ~~carrying a handgun in public, within a reasonable amount of time~~  
12 ~~following any injury, death, or property damage alleged to have~~  
13 ~~been caused by the person carrying the handgun in public. This~~  
14 ~~requirement shall be satisfied by delivering a full and complete~~  
15 ~~copy of the applicable policy or policies of insurance that meet the~~  
16 ~~standards established by subsection a. of this section and that were~~  
17 ~~in force at the time of the injury, death, or property damage.~~

18 ~~Notwithstanding the provisions of this subsection, disclosure of~~  
19 ~~policy information under this section shall not constitute an~~  
20 ~~admission that the alleged injury, death, or property damage is~~  
21 ~~subject to the policy.~~

22 ~~Information concerning the insurance policy shall not be~~  
23 ~~admissible as evidence at trial by reason of disclosure pursuant to~~  
24 ~~this subsection. The disclosure shall be confidential and available~~  
25 ~~only to the injured person, representative of the decedent, or owner~~  
26 ~~of damaged property and the attorney representing the injured~~  
27 ~~person, representative of the decedent, or owner of damaged~~  
28 ~~property and personnel in the office of the attorney.~~<sup>2</sup>

29 c. A violation of this section shall be a crime of the fourth  
30 degree and shall constitute full and sufficient grounds for  
31 revocation of a permit to carry a handgun issued pursuant to  
32 N.J.S.2C:58-4.

33  
34 5. (New section) Safe carry requirements for authorized  
35 holders of a permit to carry a handgun.

36 a. The holder of a permit to carry a handgun issued pursuant to  
37 N.J.S.2C:58-4 shall not:

38 (1) use or consume alcohol, a cannabis item, or a controlled  
39 substance while carrying a handgun;

40 (2) be under the influence of alcohol, cannabis, or a controlled  
41 substance while carrying a handgun;

42 (3) carry a handgun in public outside of a holster or carry a  
43 handgun in public in a holster that does not meet the requirements  
44 of subsection g. of N.J.S.2C:58-4;

45 (4) carry more than two firearms under the permittee's control at  
46 one time; <sup>1</sup>~~or~~<sup>1</sup> <sup>2</sup>~~or~~<sup>2</sup>

47 (5) engage in an unjustified display of a handgun <sup>1</sup>~~]~~<sup>2</sup>~~;~~ <sup>1</sup>or<sup>1</sup>

1 (6) if carrying a handgun in public, refuse to provide the  
2 handgun to a law enforcement officer upon request for purposes of  
3 inspecting the handgun<sup>2</sup>.

4 A violation of this subsection shall be a crime of the fourth  
5 degree, and any such violation shall constitute full and sufficient  
6 grounds for revocation of a permit to carry a handgun issued  
7 pursuant to N.J.S.2C:58-4.

8 b. The holder of a permit to carry a handgun issued pursuant to  
9 N.J.S.2C:58-4, if stopped or detained by a law enforcement officer  
10 while carrying a handgun in public, shall:

11 (1) immediately disclose to the law enforcement officer that they  
12 are carrying a handgun; and

13 (2) display the permit to carry a handgun <sup>2</sup>**['under]** issued  
14 pursuant to<sup>2</sup> N.J.S.2C:58-4<sup>1</sup> <sup>2</sup>**[and proof of firearm public carry**  
15 liability insurance required pursuant to section 4 of P.L. ,  
16 c. (C. )(pending before the Legislature as this bill) upon the  
17 request of the officer<sup>2</sup>.

18 A violation of paragraph (1) of this section shall be a crime of  
19 the fourth degree. A person who violates paragraph (2) of this  
20 subsection shall be guilty of a disorderly persons offense for a first  
21 offense and subject to a \$100 fine and a crime of the fourth degree  
22 for a second or subsequent offense.

23 <sup>2</sup>c. A holder of a permit to carry a handgun issued pursuant to  
24 N.J.S.2C:58-4 who is carrying a handgun in public and is detained  
25 by a law enforcement officer as part of a criminal investigation  
26 shall provide the handgun to the law enforcement officer upon  
27 request for purposes of inspecting the handgun. The provisions of  
28 this subsection shall not be construed to affect or otherwise limit the  
29 authority of a law enforcement officer to conduct a lawful search or  
30 seizure.

31 A violation of this subsection shall be a crime of the fourth  
32 degree.<sup>2</sup>

33  
34 6. (New section) Requirements and restrictions on the lawful  
35 carrying of a handgun in public.

36 In addition to any criminal penalties under subsection b. of  
37 N.J.S.2C:39-5, <sup>1</sup>**[section]** sections 5 and<sup>1</sup> 7 of P.L. ,  
38 c. (C. )(pending before the Legislature as this bill), or any other  
39 law, it shall be a crime of the fourth degree for any person in a  
40 public place:

41 a. to carry a handgun concealed on or about their person,  
42 except as permitted in accordance with N.J.S.2C:39-6, without  
43 possessing on their person a valid and lawfully issued permit to  
44 carry under N.J.S.2C:58-4 and proof of <sup>2</sup>**[firearm public carry]** the<sup>2</sup>  
45 liability insurance required pursuant to section 4 of P.L. ,  
46 c. (C. )(pending before the Legislature as this bill); or

1 b. to carry a handgun openly, whether or not in possession of a  
2 valid and lawfully issued permit to carry under N.J.S.2C:58-4 and  
3 proof of <sup>2</sup>**handgun public carry** the<sup>2</sup> liability insurance required  
4 pursuant to section 4 of P.L. , c. (C. )(pending before the  
5 Legislature as this bill).

6  
7 7. (New section) Places where the carrying of a weapon is  
8 prohibited.

9 a. Except as otherwise provided in this section, it shall be a  
10 crime of the third degree for any person, other than <sup>2</sup>**a person**  
11 lawfully carrying a firearm within the authorized scope of an  
12 exemption set forth in N.J.S.2C:39-6 and only to the extent  
13 permitted by the entity responsible for security at the place in  
14 question **an active or retired law enforcement officer in accordance**  
15 with subsection f. of this section<sup>2</sup>, to knowingly carry a weapon, as  
16 defined in subsection r. of N.J.S.2C:39-1, in any of the following  
17 places, including in or upon any part of the buildings, grounds, or  
18 parking area of:

19 (1) a place owned, leased, or under the control of State, county  
20 or municipal government used for the purpose of government  
21 administration, including but not limited to police stations;

22 (2) a courthouse, courtroom, or any other premises used to  
23 conduct judicial or court administrative proceedings or functions;

24 (3) a State, county, or municipal correctional or juvenile justice  
25 facility, jail and any other place maintained by or for a  
26 governmental entity for the detention of criminal suspects or  
27 offenders;

28 (4) a State-contracted half-way house;

29 (5) a location being used as a polling place during the conduct of  
30 an election;

31 (6) within 100 feet of a place where a public gathering,  
32 demonstration or event is held for which a government permit is  
33 required, during the conduct of such gathering, demonstration or  
34 event;

35 (7) a school, college, university or other educational institution,  
36 and on any school bus;

37 (8) a child care facility <sup>2</sup>**[or]** including a<sup>2</sup> day care center;

38 (9) a nursery school, pre-school, zoo, or summer camp;

39 (10) a park, beach, recreation facility or area or playground  
40 owned or controlled by a State, county or local government unit, or  
41 any part of such a place, which is designated as a gun free zone by  
42 the governing authority based on considerations of public safety;

43 (11) at youth sports events, as defined in N.J.S.5:17-1, during  
44 and immediately preceding and following the conduct of the event;

45 (12) a publicly owned or leased library or museum;

46 (13) a shelter for the homeless, emergency shelter for the  
47 homeless, basic center shelter program, shelter for homeless or



1 runaway youth, children's shelter, child care shelter, shelter for  
2 victims of domestic violence, or any shelter <sup>2</sup>licensed by or<sup>2</sup> under  
3 the control of the Juvenile Justice Commission or the Department of  
4 Children and Families;

5 (14) a community residence for persons with developmental  
6 disabilities, head injuries, or terminal illnesses, or any other  
7 residential setting licensed by the Department of Human Services or  
8 Department of Health;

9 (15) a bar or restaurant where alcohol is served, and any other  
10 site or facility where alcohol is sold for consumption on the  
11 premises;

12 (16) a <sup>2</sup>site or facility where cannabis is sold for consumption  
13 on the premises **Class 5 Cannabis retailer or medical cannabis**  
14 dispensary, including any consumption areas licensed or permitted  
15 by the Cannabis Regulatory Commission established pursuant to  
16 section 31 of P.L.2019, c.153 (C.24:6I-24)<sup>2</sup>;

17 (17) a privately or publicly owned and operated entertainment  
18 facility within this State, including but not limited to a theater,  
19 stadium, museum, arena, racetrack or other place where  
20 performances, concerts, exhibits, games or contests are held;

21 (18) a casino and related facilities, including but not limited to  
22 appurtenant hotels, retail premises, restaurant and bar facilities, and  
23 entertainment and recreational venues located within the casino  
24 property;

25 (19) a plant or operation that produces, converts, distributes or  
26 stores energy or converts one form of energy to another;

27 (20) an airport or public transportation hub;

28 (21) a health care facility, including but not limited to a general  
29 hospital, special hospital, <sup>2</sup>**[mental]** psychiatric<sup>2</sup> hospital, public  
30 health center, diagnostic center, treatment center, rehabilitation  
31 center, extended care facility, skilled nursing home, nursing home,  
32 intermediate care facility, tuberculosis hospital, chronic disease  
33 hospital, maternity hospital, outpatient clinic, dispensary, assisted  
34 living center, home health care agency <sup>2</sup>, residential treatment  
35 facility,<sup>2</sup> or residential health care facility;

36 (22) a facility licensed or regulated by the Department of Human  
37 Services <sup>2</sup>, Department of Children and Families,<sup>2</sup> or Department  
38 of Health, other than a health care facility, that provides addiction  
39 or mental health treatment or support services;

40 (23) a public location being used for making motion picture or  
41 television images for theatrical, commercial or educational  
42 purposes, during the time such location is being used for that  
43 purpose;

44 (24) private property, including but not limited to residential,  
45 commercial, industrial, agricultural, institutional or undeveloped  
46 property, unless the owner has provided express consent or has  
47 posted a sign indicating that it is permissible to carry on the

1 premises a concealed handgun with a valid and lawfully issued  
2 license under N.J.S.2C:58-4; and

3 (25) any other place in which the carrying of a handgun is  
4 prohibited by statute or rule or regulation promulgated by a federal  
5 or State agency or by municipal ordinance or regulation.

6 b. (1) A person, other than a person lawfully carrying a firearm  
7 within the authorized scope of an exemption set forth in subsection  
8 a. or c. of N.J.S.2C:39-6, who is otherwise authorized under the law  
9 to carry or transport a firearm shall not do so while in a vehicle in  
10 New Jersey, unless the handgun is unloaded and contained in a  
11 closed and securely fastened case, gunbox, or locked unloaded in  
12 the trunk of the vehicle.

13 (2) A holder of a valid and lawfully issued permit to carry a  
14 handgun shall not leave a handgun outside of their immediate  
15 possession or control within a parked vehicle, unless the handgun is  
16 unloaded and contained in a closed and securely fastened case, or  
17 gunbox, and is not visible from outside of the vehicle, or is locked  
18 unloaded in the trunk or storage area of the vehicle.

19 A violation of paragraph (1) or (2) of this subsection is a crime  
20 of the fourth degree.

21 c. Notwithstanding the provisions of subsections a. and b. of  
22 this section, the holder of a valid and lawfully issued permit to carry  
23 under N.J.S.2C:58-4 who is otherwise prohibited under this section  
24 from carrying a concealed firearm into the parking area of a  
25 prohibited location specified in subsection a. of this section shall be  
26 permitted to:

27 (1) transport a concealed handgun or ammunition within a  
28 vehicle into or out of the parking area, provided that the handgun is  
29 unloaded and contained in a closed and securely fastened case,  
30 gunbox, or locked unloaded in the trunk or storage area of the  
31 vehicle;

32 (2) store a handgun or ammunition within a locked lock box and  
33 out of plain view within the vehicle in the parking area;

34 (3) transport a concealed handgun in the immediate area  
35 surrounding their vehicle within a prohibited parking lot area only  
36 for the limited purpose of storing or retrieving the handgun within a  
37 locked lock box in the vehicle's trunk or other place inside the  
38 vehicle that is out of plain view; and

39 (4) transport a concealed handgun from a vehicle parked within a  
40 prohibited parking lot area to a place other than a prohibited place  
41 enumerated in subsection a. of this section, provided that the person  
42 immediately leaves the parking lot area and does not enter into or  
43 on the grounds of the prohibited place with the handgun.

44 d. The holder of a valid and lawfully issued permit to carry  
45 under N.J.S.2C:58-4 shall not be in violation of subsection a. of this  
46 section while the holder is traveling along a public right-of-way that  
47 touches or crosses any of the places enumerated in subsection a. of  
48 this section if the concealed handgun is carried on their person in

1 accordance with the provisions of this act or is being transported in  
2 a vehicle by the permit holder in accordance with all other  
3 applicable provisions of law.

4 e. (1) Nothing in this act shall be construed to prohibit the  
5 holder of a valid and lawfully issued permit under N.J.S.2C:58-4  
6 who is lawfully authorized to provide security at a place  
7 enumerated in subsection a. of this section from carrying a firearm,  
8 openly or concealed, provided that the authorization is set forth in  
9 writing, and only to the extent permitted by the entity responsible  
10 for security at the place in question.

11 (2) Unless otherwise required or prohibited by law, the owner or  
12 entity in control of any place enumerated in subsection a. of this  
13 section or owner or entity responsible for providing security may  
14 allow or prohibit retired law enforcement officers who are  
15 authorized to possess and carry a handgun pursuant to subsection l.  
16 of N.J.S.2C:39-6 or qualified retired law enforcement officers  
17 within the meaning of the federal "Law Enforcement Officers  
18 Safety Act of 2004," Pub.L. 108-277 to carry a concealed handgun  
19 on the premises of such place.

20 f. <sup>2</sup>The provisions of subsection a. of this section shall not apply  
21 to an active or retired law enforcement officer lawfully carrying a  
22 firearm within the authorized scope of an exemption established in  
23 N.J.S.2C:39-1, except that a retired law enforcement officer shall be  
24 prohibited from carrying a handgun with respect to the locations  
25 established pursuant to paragraphs (1), (2), (3), (5), (6), (7), (8),  
26 (21) and (24) of subsection a. of this section unless the entity  
27 responsible for security at the location has affirmatively authorized  
28 the retired law enforcement officer to carry a handgun in that  
29 location.

30 g.<sup>2</sup> Nothing in this section shall prohibit the carrying of a  
31 firearm where it is otherwise expressly authorized by law.

32

33 <sup>2</sup>[8. (New section) A person purchasing a firearm or firearm  
34 ammunition shall be required to disclose in a written document under  
35 penalty, on a form prescribed by the superintendent, whether the  
36 firearm or ammunition to be purchased is intended to be transferred to  
37 a third party, and the name and address of that third party, if known.]<sup>2</sup>

38

39 <sup>2</sup>8. N.J.S.2C:39-6 is amended to read as follows:

40 2C:39-6. a. Provided a person complies with the requirements  
41 of subsection j. of this section, N.J.S.2C:39-5 does not apply to:

42 (1) Members of the Armed Forces of the United States or of the  
43 National Guard while actually on duty, or while traveling between  
44 places of duty and carrying authorized weapons in the manner  
45 prescribed by the appropriate military authorities;

46 (2) Federal law enforcement officers, and any other federal  
47 officers and employees required to carry firearms in the  
48 performance of their official duties;

1 (3) Members of the State Police and, under conditions  
2 prescribed by the superintendent, members of the Marine Law  
3 Enforcement Bureau of the Division of State Police;

4 (4) A sheriff, undersheriff, sheriff's officer, county prosecutor,  
5 assistant prosecutor, prosecutor's detective or investigator, deputy  
6 attorney general or State investigator employed by the Division of  
7 Criminal Justice of the Department of Law and Public Safety,  
8 investigator employed by the State Commission of Investigation,  
9 inspector of the Alcoholic Beverage Control Enforcement Bureau of  
10 the Division of State Police in the Department of Law and Public  
11 Safety authorized to carry weapons by the Superintendent of State  
12 Police, State park police officer, or State conservation police  
13 officer;

14 (5) Except as hereinafter provided, a State correctional police  
15 officer, or a prison or jail warden of any penal institution in this  
16 State or the warden's deputies, or an employee of the Department of  
17 Corrections engaged in the interstate transportation of convicted  
18 offenders, while in the performance of the employee's duties, and  
19 when required to possess the weapon by a superior officer, or a  
20 correctional police officer or keeper of a penal institution in this  
21 State at all times while in the State of New Jersey, provided the  
22 person annually passes an examination approved by the  
23 superintendent testing the person's proficiency in the handling of  
24 firearms;

25 (6) A civilian employee of the United States Government under  
26 the supervision of the commanding officer of any post, camp,  
27 station, base or other military or naval installation located in this  
28 State who is required, in the performance of the employee's official  
29 duties, to carry firearms, and who is authorized to carry firearms by  
30 the commanding officer, while in the actual performance of the  
31 employee's official duties;

32 (7) (a) A regularly employed member, including a detective, of  
33 the police department of any county or municipality, or of any  
34 State, interstate, municipal or county park police force or boulevard  
35 police force, at all times while in the State of New Jersey;

36 (b) A special law enforcement officer authorized to carry a  
37 weapon as provided in subsection b. of section 7 of P.L.1985, c.439  
38 (C.40A:14-146.14);

39 (c) An airport security officer or a special law enforcement  
40 officer appointed by the governing body of any county or  
41 municipality, except as provided in subparagraph (b) of this  
42 paragraph, or by the commission, board or other body having  
43 control of a county park or airport or boulevard police force, while  
44 engaged in the actual performance of the officer's official duties and  
45 when specifically authorized by the governing body to carry  
46 weapons;

47 (8) A full-time, paid member of a paid or part-paid fire  
48 department or force of any municipality who is assigned full-time

1 or part-time to an arson investigation unit created pursuant to  
2 section 1 of P.L.1981, c.409 (C.40A:14-7.1) or to the county arson  
3 investigation unit in the county prosecutor's office, while either  
4 engaged in the actual performance of arson investigation duties or  
5 while actually on call to perform arson investigation duties and  
6 when specifically authorized by the governing body or the county  
7 prosecutor, as the case may be, to carry weapons. Prior to being  
8 permitted to carry a firearm, a member shall take and successfully  
9 complete a firearms training course administered by the Police  
10 Training Commission pursuant to P.L.1961, c.56 (C.52:17B-66 et  
11 seq.), and shall annually qualify in the use of a revolver or similar  
12 weapon prior to being permitted to carry a firearm;

13 (9) A juvenile correctional police officer in the employment of  
14 the Juvenile Justice Commission established pursuant to section 2  
15 of P.L.1995, c.284 (C.52:17B-170) subject to the regulations  
16 promulgated by the commission;

17 (10) A designated employee or designated licensed agent for a  
18 nuclear power plant under license of the Nuclear Regulatory  
19 Commission, while in the actual performance of the person's  
20 official duties, if the federal licensee certifies that the designated  
21 employee or designated licensed agent is assigned to perform site  
22 protection, guard, armed response or armed escort duties and is  
23 appropriately trained and qualified, as prescribed by federal  
24 regulation, to perform those duties. Any firearm utilized by an  
25 employee or agent for a nuclear power plant pursuant to this  
26 paragraph shall be returned each day at the end of the employee's or  
27 agent's authorized official duties to the employee's or agent's  
28 supervisor. All firearms returned each day pursuant to this  
29 paragraph shall be stored in locked containers located in a secure  
30 area;

31 (11) A county correctional police officer at all times while in the  
32 State of New Jersey, provided the officer annually passes an  
33 examination approved by the superintendent testing the officer's  
34 proficiency in the handling of firearms.

35 b. Subsections a., b. and c. of N.J.S.2C:39-5 do not apply to:

36 (1) A law enforcement officer employed by a governmental  
37 agency outside of the State of New Jersey while actually engaged in  
38 the officer's official duties, provided, however, that the officer has  
39 first notified the superintendent or the chief law enforcement officer  
40 of the municipality or the prosecutor of the county in which the  
41 officer is engaged; or

42 (2) A licensed dealer in firearms and the dealer's registered  
43 employees during the course of their normal business while  
44 traveling to and from their place of business and other places for the  
45 purpose of demonstration, exhibition or delivery in connection with  
46 a sale, provided, however, that the weapon is carried in the manner  
47 specified in subsection g. of this section.

- 1 c. Provided a person complies with the requirements of  
2 subsection j. of this section, subsections b. and c. of N.J.S.2C:39-5  
3 do not apply to:
- 4 (1) A special agent of the Division of Taxation who has passed  
5 an examination in an approved police training program testing  
6 proficiency in the handling of any firearm which the agent may be  
7 required to carry, while in the actual performance of the agent's  
8 official duties and while going to or from the agent's place of duty,  
9 or any other police officer, while in the actual performance of the  
10 officer's official duties;
- 11 (2) A State deputy conservation police officer or a full-time  
12 employee of the Division of Parks and Forestry having the power of  
13 arrest and authorized to carry weapons, while in the actual  
14 performance of the officer's official duties;
- 15 (3) (Deleted by amendment, P.L.1986, c.150.)
- 16 (4) A court attendant appointed by the sheriff of the county or  
17 by the judge of any municipal court or other court of this State,  
18 while in the actual performance of the attendant's official duties;
- 19 (5) A guard employed by any railway express company, banking  
20 or building and loan or savings and loan institution of this State,  
21 while in the actual performance of the guard's official duties;
- 22 (6) A member of a legally recognized military organization  
23 while actually under orders or while going to or from the prescribed  
24 place of meeting and carrying the weapons prescribed for drill,  
25 exercise or parade;
- 26 (7) A municipal humane law enforcement officer, authorized  
27 pursuant to subsection d. of section 25 of P.L.2017, c.331 (C.4:22-  
28 14.1), or humane law enforcement officer of a county society for  
29 the prevention of cruelty to animals authorized pursuant to  
30 subsection c. of section 29 of P.L.2017, c.331 (C.4:22-14.5), while  
31 in the actual performance of the officer's duties;
- 32 (8) An employee of a public utilities corporation actually  
33 engaged in the transportation of explosives;
- 34 (9) A railway policeman, except a transit police officer of the  
35 New Jersey Transit Police Department, at all times while in the  
36 State of New Jersey, provided that the person has passed an  
37 approved police academy training program consisting of at least  
38 280 hours. The training program shall include, but need not be  
39 limited to, the handling of firearms, community relations, and  
40 juvenile relations;
- 41 (10) A campus police officer appointed under P.L.1970, c.211  
42 (C.18A:6-4.2 et seq.) at all times. Prior to being permitted to carry  
43 a firearm, a campus police officer shall take and successfully  
44 complete a firearms training course administered by the Police  
45 Training Commission, pursuant to P.L.1961, c.56 (C.52:17B-66 et  
46 seq.), and shall annually qualify in the use of a revolver or similar  
47 weapon prior to being permitted to carry a firearm;
- 48 (11) (Deleted by amendment, P.L.2003, c.168).

1 (12) A transit police officer of the New Jersey Transit Police  
2 Department, at all times while in the State of New Jersey, provided  
3 the officer has satisfied the training requirements of the Police  
4 Training Commission, pursuant to subsection c. of section 2 of  
5 P.L.1989, c.291 (C.27:25-15.1);

6 (13) A parole officer employed by the State Parole Board at all  
7 times. Prior to being permitted to carry a firearm, a parole officer  
8 shall take and successfully complete a basic course for regular  
9 police officer training administered by the Police Training  
10 Commission, pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.), and  
11 shall annually qualify in the use of a revolver or similar weapon  
12 prior to being permitted to carry a firearm;

13 (14) A Human Services police officer at all times while in the  
14 State of New Jersey, as authorized by the Commissioner of Human  
15 Services;

16 (15) A person or employee of any person who, pursuant to and as  
17 required by a contract with a governmental entity, supervises or  
18 transports persons charged with or convicted of an offense;

19 (16) A housing authority police officer appointed under  
20 P.L.1997, c.210 (C.40A:14-146.19 et al.) at all times while in the  
21 State of New Jersey; or

22 (17) A probation officer assigned to the "Probation Officer  
23 Community Safety Unit" created by section 2 of P.L.2001, c.362  
24 (C.2B:10A-2) while in the actual performance of the probation  
25 officer's official duties. Prior to being permitted to carry a firearm,  
26 a probation officer shall take and successfully complete a basic  
27 course for regular police officer training administered by the Police  
28 Training Commission, pursuant to P.L.1961, c.56 (C.52:17B-66 et  
29 seq.), and shall annually qualify in the use of a revolver or similar  
30 weapon prior to being permitted to carry a firearm.

31 d. (1) Subsections c. and d. of N.J.S.2C:39-5 do not apply to  
32 antique firearms, provided that the antique firearms are unloaded or  
33 are being fired for the purposes of exhibition or demonstration at an  
34 authorized target range or in another manner approved in writing by  
35 the chief law enforcement officer of the municipality in which the  
36 exhibition or demonstration is held, or if not held on property under  
37 the control of a particular municipality, the superintendent.

38 (2) Subsection a. of N.J.S.2C:39-3 and subsection d. of  
39 N.J.S.2C:39-5 do not apply to an antique cannon that is capable of  
40 being fired but that is unloaded and immobile, provided that the  
41 antique cannon is possessed by (a) a scholastic institution, a  
42 museum, a municipality, a county or the State, or (b) a person who  
43 obtained a firearms purchaser identification card as specified in  
44 N.J.S.2C:58-3.

45 (3) Subsection a. of N.J.S.2C:39-3 and subsection d. of  
46 N.J.S.2C:39-5 do not apply to an unloaded antique cannon that is  
47 being transported by one eligible to possess it, in compliance with

1 regulations the superintendent may promulgate, between its  
2 permanent location and place of purchase or repair.

3 (4) Subsection a. of N.J.S.2C:39-3 and subsection d. of  
4 N.J.S.2C:39-5 do not apply to antique cannons that are being loaded  
5 or fired by one eligible to possess an antique cannon, for purposes  
6 of exhibition or demonstration at an authorized target range or in  
7 the manner as has been approved in writing by the chief law  
8 enforcement officer of the municipality in which the exhibition or  
9 demonstration is held, or if not held on property under the control  
10 of a particular municipality, the superintendent, provided that  
11 performer has given at least 30 days' notice to the superintendent.

12 (5) Subsection a. of N.J.S.2C:39-3 and subsection d. of  
13 N.J.S.2C:39-5 do not apply to the transportation of unloaded  
14 antique cannons directly to or from exhibitions or demonstrations  
15 authorized under paragraph (4) of subsection d. of this section,  
16 provided that the transportation is in compliance with safety  
17 regulations the superintendent may promulgate. Those subsections  
18 shall not apply to transportation directly to or from exhibitions or  
19 demonstrations authorized under the law of another jurisdiction,  
20 provided that the superintendent has been given 30 days' notice and  
21 that the transportation is in compliance with safety regulations the  
22 superintendent may promulgate.

23 e. Nothing in subsections b., c., and d. of N.J.S.2C:39-5 shall  
24 be construed to prevent a person keeping or carrying about the  
25 person's place of business, residence, premises or other land owned  
26 or possessed by the person, any firearm, or from carrying the same,  
27 in the manner specified in subsection g. of this section, from any  
28 place of purchase to the person's residence or place of business,  
29 between the person's dwelling and place of business, between one  
30 place of business or residence and another when moving, or  
31 between the person's dwelling or place of business and place where  
32 the firearms are repaired, for the purpose of repair. For the  
33 purposes of this section, a place of business shall be deemed to be a  
34 fixed location.

35 f. Nothing in subsections b., c., and d. of N.J.S.2C:39-5 shall  
36 be construed to prevent:

37 (1) A member of any rifle or pistol club organized in accordance  
38 with the rules prescribed by the National Board for the Promotion  
39 of Rifle Practice, in going to or from a place of target practice,  
40 carrying firearms necessary for target practice, provided that the  
41 club has filed a copy of its charter with the superintendent and  
42 annually submits a list of its members to the superintendent and  
43 provided further that the firearms are carried in the manner  
44 specified in subsection g. of this section;

45 (2) A person carrying a firearm or knife in the woods or fields  
46 or upon the waters of this State for the purpose of hunting, target  
47 practice or fishing, provided that the firearm or knife is legal and  
48 appropriate for hunting or fishing purposes in this State and the



1 person has in his possession a valid hunting license, or, with respect  
2 to fresh water fishing, a valid fishing license;

3 (3) A person transporting any firearm or knife while traveling:

4 (a) Directly to or from any place for the purpose of hunting or  
5 fishing, provided the person has in possession a valid hunting or  
6 fishing license; or

7 (b) Directly to or from any target range, or other authorized  
8 place for the purpose of practice, match, target, trap or skeet  
9 shooting exhibitions, provided in all cases that during the course of  
10 the travel all firearms are carried in the manner specified in  
11 subsection g. of this section and the person has complied with all  
12 the provisions and requirements of Title 23 of the Revised Statutes  
13 and any amendments thereto and all rules and regulations  
14 promulgated thereunder; or

15 (c) In the case of a firearm, directly to or from any exhibition or  
16 display of firearms which is sponsored by any law enforcement  
17 agency, any rifle or pistol club, or any firearms collectors club, for  
18 the purpose of displaying the firearms to the public or to the  
19 members of the organization or club, provided, however, that not  
20 less than 30 days prior to the exhibition or display, notice of the  
21 exhibition or display shall be given to the Superintendent of the  
22 State Police by the sponsoring organization or club, and the sponsor  
23 has complied with any reasonable safety regulations the  
24 superintendent may promulgate. Any firearms transported pursuant  
25 to this section shall be transported in the manner specified in  
26 subsection g. of this section;

27 (4) A person from keeping or carrying about a private or  
28 commercial aircraft or any boat, or from transporting to or from the  
29 aircraft or boat for the purpose of installation or repair of a visual  
30 distress signaling device approved by the United States Coast  
31 Guard.

32 g. Any weapon being transported under paragraph (2) of  
33 subsection b., subsection e., or paragraph (1) or (3) of subsection f.  
34 of this section shall be carried unloaded and contained in a closed  
35 and fastened case, gunbox, securely tied package, or locked in the  
36 trunk of the automobile in which it is being transported, and in the  
37 course of travel shall include only deviations as are reasonably  
38 necessary under the circumstances.

39 h. Nothing in subsection d. of N.J.S.2C:39-5 shall be construed  
40 to prevent any employee of a public utility, as defined in R.S.48:2-  
41 13, doing business in this State or any United States Postal Service  
42 employee, while in the actual performance of duties which  
43 specifically require regular and frequent visits to private premises,  
44 from possessing, carrying or using any device which projects,  
45 releases or emits any substance specified as being noninjurious to  
46 canines or other animals by the Commissioner of Health and which  
47 immobilizes only on a temporary basis and produces only  
48 temporary physical discomfort through being vaporized or

1 otherwise dispensed in the air for the sole purpose of repelling  
2 canine or other animal attacks.

3 The device shall be used solely to repel only those canine or  
4 other animal attacks when the canines or other animals are not  
5 restrained in a fashion sufficient to allow the employee to properly  
6 perform the employee's duties.

7 Any device used pursuant to this act shall be selected from a list  
8 of products, which consist of active and inert ingredients, permitted  
9 by the Commissioner of Health.

10 i. (1) Nothing in N.J.S.2C:39-5 shall be construed to prevent  
11 any person who is 18 years of age or older and who has not been  
12 convicted of a crime, from possession for the purpose of personal  
13 self-defense of one pocket-sized device which contains and releases  
14 not more than three-quarters of an ounce of chemical substance not  
15 ordinarily capable of lethal use or of inflicting serious bodily injury,  
16 but rather, is intended to produce temporary physical discomfort or  
17 disability through being vaporized or otherwise dispensed in the air.  
18 Any person in possession of any device in violation of this  
19 subsection shall be deemed and adjudged to be a disorderly person,  
20 and upon conviction thereof, shall be punished by a fine of not less  
21 than \$100.

22 (2) Notwithstanding the provisions of paragraph (1) of this  
23 subsection, nothing in N.J.S.2C:39-5 shall be construed to prevent a  
24 health inspector or investigator operating pursuant to the provisions  
25 of section 7 of P.L.1977, c.443 (C.26:3A2-25) or a building  
26 inspector from possessing a device which is capable of releasing  
27 more than three-quarters of an ounce of a chemical substance, as  
28 described in paragraph (1) of this subsection, while in the actual  
29 performance of the inspector's or investigator's duties, provided that  
30 the device does not exceed the size of those used by law  
31 enforcement.

32 j. A person shall qualify for an exemption from the provisions  
33 of N.J.S.2C:39-5, as specified under subsections a. and c. of this  
34 section, if the person has satisfactorily completed a firearms  
35 training course approved by the Police Training Commission.

36 The exempt person shall not possess or carry a firearm until the  
37 person has satisfactorily completed a firearms training course and  
38 shall annually qualify in the use of a revolver or similar weapon.  
39 For purposes of this subsection, a "firearms training course" means  
40 a course of instruction in the safe use, maintenance and storage of  
41 firearms which is approved by the Police Training Commission.  
42 The commission shall approve a firearms training course if the  
43 requirements of the course are substantially equivalent to the  
44 requirements for firearms training provided by police training  
45 courses which are certified under section 6 of P.L.1961, c.56  
46 (C.52:17B-71). A person who is specified in paragraph (1), (2), (3),  
47 or (6) of subsection a. of this section shall be exempt from the  
48 requirements of this subsection.

1 k. Nothing in subsection d. of N.J.S.2C:39-5 shall be construed  
2 to prevent any financial institution, or any duly authorized  
3 personnel of the institution, from possessing, carrying or using for  
4 the protection of money or property, any device which projects,  
5 releases or emits tear gas or other substances intended to produce  
6 temporary physical discomfort or temporary identification.

7 l. Nothing in subsection b. of N.J.S.2C:39-5 shall be construed  
8 to prevent a law enforcement officer who retired in good standing,  
9 including a retirement because of a disability pursuant to section 6  
10 of P.L.1944, c.255 (C.43:16A-6), section 7 of P.L.1944, c.255  
11 (C.43:16A-7), section 1 of P.L.1989, c.103 (C.43:16A-6.1), or any  
12 substantially similar statute governing the disability retirement of  
13 federal law enforcement officers, provided the officer was a  
14 regularly employed, full-time law enforcement officer for an  
15 aggregate of four or more years prior to the officer's disability  
16 retirement and further provided that the disability which constituted  
17 the basis for the officer's retirement did not involve a certification  
18 that the officer was mentally incapacitated for the performance of  
19 the officer's usual law enforcement duties and any other available  
20 duty in the department which the officer's employer was willing to  
21 assign to the officer or does not subject that retired officer to any of  
22 the disabilities set forth in subsection c. of N.J.S.2C:58-3 which  
23 would disqualify the retired officer from possessing or carrying a  
24 firearm, who semi-annually qualifies in the use of the handgun the  
25 officer is permitted to carry in accordance with the requirements  
26 and procedures established by the Attorney General pursuant to  
27 subsection j. of this section and pays the actual costs associated  
28 with those semi-annual qualifications, who is 75 years of age or  
29 younger, and who was regularly employed as a full-time member of  
30 the State Police; a full-time member of an interstate police force; a  
31 full-time member of a county or municipal police department in this  
32 State; a full-time member of a State law enforcement agency; a full-  
33 time sheriff, undersheriff or sheriff's officer of a county of this  
34 State; a full-time State or county correctional police officer; a full-  
35 time State correctional police officer or county correctional police  
36 officer; a full-time State or county park police officer; a full-time  
37 special agent of the Division of Taxation; a full-time Human  
38 Services police officer; a full-time transit police officer of the New  
39 Jersey Transit Police Department; a full-time campus police officer  
40 exempted pursuant to paragraph (10) of subsection c. of this  
41 section; a full-time State conservation police officer exempted  
42 pursuant to paragraph (4) of subsection a. of this section; a full-time  
43 Palisades Interstate Park officer appointed pursuant to R.S.32:14-  
44 21; a full-time Burlington County Bridge police officer appointed  
45 pursuant to section 1 of P.L.1960, c.168 (C.27:19-36.3); a full-time  
46 housing authority police officer exempted pursuant to paragraph  
47 (16) of subsection c. of this section; a full-time juvenile correctional  
48 police officer exempted pursuant to paragraph (9) of subsection a.

1 of this section; a full-time parole officer exempted pursuant to  
2 paragraph (13) of subsection c. of this section; a full-time railway  
3 policeman exempted pursuant to paragraph (9) of subsection c. of  
4 this section; a full-time county prosecutor's detective or  
5 investigator; a full-time federal law enforcement officer; or is a  
6 qualified retired law enforcement officer, as used in the federal  
7 "Law Enforcement Officers Safety Act of 2004," Pub.L. 108-277,  
8 domiciled in this State from carrying a handgun in the same manner  
9 as law enforcement officers exempted under paragraph (7) of  
10 subsection a. of this section, except as provided in subsection f. of  
11 section 7 of P.L. \_\_\_\_\_, c. (C. \_\_\_\_\_) (pending before the Legislature  
12 as this bill.). A retired law enforcement officer shall be entitled to  
13 carry a handgun pursuant to this subsection under the following  
14 conditions [provided herein]:

15 (1) The retired law enforcement officer shall make application  
16 in writing to the Superintendent of State Police for approval to carry  
17 a handgun for one year. An application for annual renewal shall be  
18 submitted in the same manner.

19 (2) Upon receipt of the written application of the retired law  
20 enforcement officer, the superintendent shall request a verification  
21 of service from the chief law enforcement officer of the  
22 organization in which the retired officer was last regularly  
23 employed as a full-time law enforcement officer prior to retiring.  
24 The verification of service shall include:

25 (a) The name and address of the retired officer;

26 (b) The date that the retired officer was hired and the date that  
27 the officer retired;

28 (c) A list of all handguns known to be registered to that officer;

29 (d) A statement that, to the reasonable knowledge of the chief  
30 law enforcement officer, the retired officer is not subject to any of  
31 the restrictions set forth in subsection c. of N.J.S.2C:58-3; and

32 (e) A statement that the officer retired in good standing.

33 (3) If the superintendent approves a retired officer's application  
34 or reapplication to carry a handgun pursuant to the provisions of  
35 this subsection, the superintendent shall notify in writing the chief  
36 law enforcement officer of the municipality wherein that retired  
37 officer resides. In the event the retired officer resides in a  
38 municipality which has no chief law enforcement officer or law  
39 enforcement agency, the superintendent shall maintain a record of  
40 the approval.

41 (4) The superintendent shall issue to an approved retired officer  
42 an identification card permitting the retired officer to carry a  
43 handgun pursuant to this subsection. This identification card shall  
44 be valid for one year from the date of issuance and shall be valid  
45 throughout the State. The identification card shall not be  
46 transferable to any other person. The identification card shall be  
47 carried at all times on the person of the retired officer while the  
48 retired officer is carrying a handgun. The retired officer shall

1 produce the identification card for review on the demand of any law  
2 enforcement officer or authority.

3 (5) Any person aggrieved by the denial of the superintendent of  
4 approval for a permit to carry a handgun pursuant to this subsection  
5 may request a hearing in the Superior Court of New Jersey in the  
6 county in which the person resides by filing a written request for a  
7 hearing within 30 days of the denial. Copies of the request shall be  
8 served upon the superintendent and the county prosecutor. The  
9 hearing shall be held within 30 days of the filing of the request, and  
10 no formal pleading or filing fee shall be required. Appeals from the  
11 determination of the hearing shall be in accordance with law and the  
12 rules governing the courts of this State.

13 (6) A judge of the Superior Court may revoke a retired officer's  
14 privilege to carry a handgun pursuant to this subsection for good  
15 cause shown on the application of any interested person. A person  
16 who becomes subject to any of the disabilities set forth in  
17 subsection c. of N.J.S.2C:58-3 shall surrender, as prescribed by the  
18 superintendent, the person's identification card issued under  
19 paragraph (4) of this subsection to the chief law enforcement officer  
20 of the municipality wherein the person resides or the  
21 superintendent, and shall be permanently disqualified to carry a  
22 handgun under this subsection.

23 (7) The superintendent may charge a reasonable application fee  
24 to retired officers to offset any costs associated with administering  
25 the application process set forth in this subsection.

26 m. Nothing in subsection d. of N.J.S.2C:39-5 shall be construed  
27 to prevent duly authorized personnel of the New Jersey Division of  
28 Fish and Wildlife, while in the actual performance of duties, from  
29 possessing, transporting or using any device that projects, releases  
30 or emits any substance specified as being non-injurious to wildlife  
31 by the Director of the Division of Animal Health in the Department  
32 of Agriculture, and which may immobilize wildlife and produces  
33 only temporary physical discomfort through being vaporized or  
34 otherwise dispensed in the air for the purpose of repelling bear or  
35 other animal attacks or for the aversive conditioning of wildlife.

36 n. Nothing in subsection b., c., d. or e. of N.J.S.2C:39-5 shall  
37 be construed to prevent duly authorized personnel of the New  
38 Jersey Division of Fish and Wildlife, while in the actual  
39 performance of duties, from possessing, transporting or using hand  
40 held pistol-like devices, rifles or shotguns that launch pyrotechnic  
41 missiles for the sole purpose of frightening, hazing or aversive  
42 conditioning of nuisance or depredating wildlife; from possessing,  
43 transporting or using rifles, pistols or similar devices for the sole  
44 purpose of chemically immobilizing wild or non-domestic animals;  
45 or, provided the duly authorized person complies with the  
46 requirements of subsection j. of this section, from possessing,  
47 transporting or using rifles or shotguns, upon completion of a Police  
48 Training Commission approved training course, in order to dispatch

1 injured or dangerous animals or for non-lethal use for the purpose  
2 of frightening, hazing or aversive conditioning of nuisance or  
3 depredating wildlife.<sup>2</sup>

4 (cf: P.L.2019, c.407, s.2)

5

6 9. (New section) Notwithstanding any provision of the  
7 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.)  
8 to the contrary, the Superintendent of State Police may adopt  
9 immediately upon filing with the Office of Administrative Law such  
10 regulations as the Superintendent deems necessary to implement the  
11 provisions of this act, which shall be effective for a period not to  
12 exceed 18 months, and may thereafter be amended, adopted, or  
13 readopted by the Superintendent in accordance with the requirements  
14 of the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1  
15 et seq.).

16

17 10. Sections 2 and 7 of this act shall take effect immediately <sup>2</sup>[,  
18 section 8 of this act shall take effect on the first day of second  
19 month next following the date of enactment, <sup>2</sup>] and the remainder of  
20 this act shall take effect on the first day of the seventh month next  
21 following the date of enactment, but the Attorney General,  
22 Superintendent of State Police, and Commissioner of Banking and  
23 Insurance may take such anticipatory action as is necessary for the  
24 implementation of this act.