

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, No. 4769**

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

ADOPTED NOVEMBER 14, 2022

**Sponsored by:**

**Assemblyman JOE DANIELSEN**  
**District 17 (Middlesex and Somerset)**  
**Assemblyman LOUIS D. GREENWALD**  
**District 6 (Burlington and Camden)**  
**Assemblywoman MILA M. JASEY**  
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**Assemblyman JOHN F. MCKEON**  
**District 27 (Essex and Morris)**  
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**District 33 (Hudson)**  
**Senator NICHOLAS P. SCUTARI**  
**District 22 (Middlesex, Somerset and Union)**  
**Senator LINDA R. GREENSTEIN**  
**District 14 (Mercer and Middlesex)**

**Co-Sponsored by:**

**Senator Johnson**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

Substitute as adopted by the Assembly Judiciary Committee.

(Sponsorship Updated As Of: 12/19/2022)

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  
45 specifically cited a “background check, mental health check, training

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

Matter underlined thus is new matter.

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

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

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

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

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

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

47 (3) Parks and other recreation spaces, including locations where  
48 children congregate;

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

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

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

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

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

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

38

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

40 2C:58-3. a. Permit to purchase a handgun.

41 (1) **[No]** A person shall not sell, give, transfer, assign or  
42 otherwise dispose of, nor receive, purchase, or otherwise acquire a  
43 handgun unless the purchaser, assignee, donee, receiver or holder is  
44 licensed as a dealer under this chapter or has first secured a permit  
45 to purchase a handgun as provided by this section.

46 (2) A person who is not a licensed retail dealer and sells, gives,  
47 transfers, assigns, or otherwise disposes of, or receives, purchases

1 or otherwise acquires a handgun pursuant to this section shall  
2 conduct the transaction through a licensed retail dealer.

3 The provisions of this paragraph shall not apply if the transaction  
4 is:

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

7 (b) between law enforcement officers;

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

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

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

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

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

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

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

31 b. Firearms purchaser identification card.

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

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 an antique cannon or a rifle or shotgun  
4 pursuant to this section shall conduct the transaction through a  
5 licensed retail dealer.

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

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

10 (b) between law enforcement officers;

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

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

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

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

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

29 (c) a retail dealer may charge a fee, not to exceed \$70, for a  
30 transaction conducted pursuant to this subsection; and

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

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

- 1 (1) To any person who has been convicted of : (a) any crime in  
2 this State or its felony counterpart in any other state or federal  
3 jurisdiction; or (b) a disorderly persons offense in this State  
4 involving an act of domestic violence as defined in section 3 of  
5 P.L.1991, c.261 (C.2C:25-19) or its felony or misdemeanor  
6 counterpart involving an act of domestic violence as defined under  
7 a comparable statute in any other state or federal jurisdiction,  
8 whether or not armed with or possessing a weapon at the time of the  
9 offense;
- 10 (2) To **any drug-dependent person as defined in section 2 of**  
11 **P.L.1970, c.226 (C.24:21-2), to** any person who is presently  
12 confined for a mental disorder **to a hospital, mental institution or**  
13 **sanitarium** as a voluntary admission as defined in section 2 of  
14 P.L.1987, c.116 (C.30:4-27.2) or who is presently involuntarily  
15 committed to inpatient or outpatient treatment pursuant to **section**  
16 **1 of** P.L.1987, c.116 (C.30:4-27.1 et seq.) **or to any person who is**  
17 **presently an habitual drunkard**;
- 18 (3) To any person who suffers from a physical defect or disease  
19 which would make it unsafe for **him** that person to handle  
20 firearms, **to any person who has ever been confined for a mental**  
21 **disorder,** to any person with a substance use disorder involving  
22 drugs as defined in section 2 of P.L.1970, c.226 (C.24:21-2), or to  
23 any alcoholic as defined in section 2 of P.L.1975, c.305 (C.26:2B-8)  
24 unless any of the foregoing persons produces a certificate of a  
25 medical doctor, treatment provider, or psychiatrist licensed in New  
26 Jersey, or other satisfactory proof, that **he** the person is no longer  
27 suffering from that particular disability in a manner that would  
28 interfere with or handicap **him** that person in the handling of  
29 firearms; to any person who knowingly falsifies any information on  
30 the application form for a handgun purchase permit or firearms  
31 purchaser identification card;
- 32 (4) To any person under the age of 18 years for a firearms  
33 purchaser identification card and to any person under the age of 21  
34 years for a permit to purchase a handgun;
- 35 (5) To any person where the issuance would not be in the interest  
36 of the public health, safety or welfare because the person is found to  
37 be lacking the essential character of temperament necessary to be  
38 entrusted with a firearm;
- 39 (6) To any person who is subject to or has violated a temporary  
40 or final restraining order issued pursuant to the "Prevention of  
41 Domestic Violence Act of 1991", P.L.1991, c.261 (C.2C:25-17 et  
42 seq.) prohibiting the person from possessing any firearm or a  
43 temporary or final domestic violence restraining order issued in  
44 another jurisdiction prohibiting the person from possessing any  
45 firearm;
- 46 (7) To any person who as a juvenile was adjudicated delinquent  
47 for an offense which, if committed by an adult, would constitute a

- 1 crime and the offense involved the unlawful use or possession of a  
2 weapon, explosive or destructive device or is enumerated in  
3 subsection d. of section 2 of P.L.1997, c.117 (C.2C:43-7.2);
- 4 (8) To any person whose firearm is seized pursuant to the  
5 "Prevention of Domestic Violence Act of 1991", P.L.1991, c.261  
6 (C.2C:25-17 et seq.) and whose firearm has not been returned; or
- 7 (9) To any person named on the consolidated Terrorist Watchlist  
8 maintained by the Terrorist Screening Center administered by the  
9 Federal Bureau of Investigation;
- 10 (10) To any person who is subject to or has violated a court order  
11 prohibiting the custody, control, ownership, purchase, possession,  
12 or receipt of a firearm or ammunition issued pursuant to the  
13 "Extreme Risk Protective Order Act of 2018", P.L.2018, c.35  
14 (C.2C:58-20 et al.);
- 15 (11) To any person who is subject to or has violated a court order  
16 prohibiting the custody, control, ownership, purchase, possession,  
17 or receipt of a firearm or ammunition issued pursuant to P.L.2021,  
18 c.327 (C.2C:12-14 et al.);
- 19 (12) To any person who is subject to or has violated a temporary  
20 or final restraining order issued pursuant to the "Sexual Assault  
21 Survivor Protection Act of 2015," P.L.2015, c.147 (C.2C:14-13 et  
22 al.);
- 23 (13) To any person who has previously been voluntarily admitted  
24 to inpatient treatment pursuant to P.L.1987, c.116 (C.30:4-27.1 et  
25 seq.) or involuntarily committed to inpatient or outpatient treatment  
26 pursuant to P.L.1987, c.116 (C.30:4-27.1 et seq.), unless the court  
27 has expunged the person's record pursuant to P.L.1953, c.268  
28 (C.30:4-80.8 et seq.);
- 29 (14) To any person who is subject to an outstanding arrest  
30 warrant for an indictable crime in this State or for a felony, other  
31 than a felony to which section 1 of P.L.2022, c.50 (C.2A:160-14.1)  
32 would apply, in any other state or federal jurisdiction; or
- 33 (15) To any person who is a fugitive from justice due to having  
34 fled from any state or federal jurisdiction to avoid prosecution for a  
35 crime, other than a crime to which section 1 of P.L.2022, c.50  
36 (C.2A:160-14.1) would apply, or to avoid giving testimony in any  
37 criminal proceeding.
- 38 In order to obtain a permit to purchase a handgun or a firearms  
39 purchaser identification card, the applicant shall demonstrate that,  
40 within four years prior to the date of the application, the applicant  
41 satisfactorily completed a course of instruction approved by the  
42 superintendent in the lawful and safe handling and storage of  
43 firearms. The applicant shall be required to demonstrate  
44 completion of a course of instruction only once prior to obtaining  
45 either a firearms purchaser identification card or the applicant's first  
46 permit to purchase a handgun.
- 47 The applicant shall not be required to demonstrate completion of  
48 a course of instruction in order to obtain any subsequent permit to

1 purchase a handgun, to replace an existing firearms purchaser  
2 identification card, or to renew a firearms purchaser identification  
3 card.

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

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

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

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

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

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

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

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

1 States or the State of New Jersey, whether **【he】** the applicant has  
2 ever been convicted of a crime or disorderly persons offense in this  
3 State or felony or misdemeanor in any other state or federal  
4 jurisdiction, whether the **【person】** applicant is subject to a  
5 restraining order issued pursuant to the "Prevention of Domestic  
6 Violence Act of 1991", P.L.1991, c.261 (C.2C:25-17 et seq.) or an  
7 order entered under the provisions of a substantially similar statute  
8 under the laws of another jurisdiction prohibiting the **【person】**  
9 applicant from possessing any firearm, whether the applicant is  
10 subject to a restraining order issued pursuant to the "Sexual Assault  
11 Survivor Protection Act of 2015," P.L.2015, c.147 (C.2C:14-13 et  
12 al.) or an order entered under the provisions of a substantially  
13 similar statute under the laws of another jurisdiction, whether the  
14 **【person】** applicant is subject to a protective order issued pursuant  
15 to the "Extreme Risk Protective Order Act of 2018", P.L.2018, c.35  
16 (C.2C:58-20 et al.), whether the **【person】** applicant is subject to a  
17 protective order issued pursuant to P.L.2021, c.327 (C.2C:12-14 et  
18 al.) prohibiting the **【person】** applicant from possessing any firearm,  
19 and other information as the superintendent shall deem necessary  
20 for the proper enforcement of this chapter. For the purpose of  
21 complying with this subsection, the applicant shall waive any  
22 statutory or other right of confidentiality relating to institutional  
23 confinement. The application shall be signed by the applicant and  
24 shall contain as references the names and addresses of two  
25 reputable citizens personally acquainted with **【him】** the applicant.

26 An applicant for a permit to purchase a handgun shall also  
27 certify, with respect to each handgun listed on the form, whether the  
28 applicant is purchasing the handgun on the applicant's own behalf  
29 or, if not, that the purchase is being made on behalf of a third party  
30 to whom the applicant may lawfully transfer the handgun.

31 Application blanks shall be obtainable from the superintendent,  
32 from any other officer authorized to grant a permit or identification  
33 card, and from licensed retail dealers, or shall be made available  
34 through an online process established or made available by the  
35 superintendent.

36 The chief police officer or the superintendent shall obtain the  
37 fingerprints of the applicant and shall have them compared with any  
38 and all records of fingerprints in the municipality and county in  
39 which the applicant resides and also the records of the State Bureau  
40 of Identification and the Federal Bureau of Investigation, provided  
41 that an applicant for a handgun purchase permit who possesses a  
42 valid firearms purchaser identification card, or who has previously  
43 obtained a handgun purchase permit from the same licensing  
44 authority for which **【he】** the applicant was previously fingerprinted,  
45 and who provides other reasonably satisfactory proof of **【his】** the  
46 applicant's identity, need not be fingerprinted again; however, the  
47 chief police officer or the superintendent shall proceed to

1 investigate the application to determine whether or not the applicant  
2 has become subject to any of the disabilities set forth in this  
3 chapter.

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

22 If the date of birth of the firearms purchaser identification card  
23 holder does not correspond to a calendar day of the tenth calendar  
24 year, the card shall expire on the last day of the birth month of the  
25 card holder.

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

1 required as a preliminary to a hearing. Appeals from the results of a  
2 hearing shall be in accordance with law.

3 The Administrative Director of the Courts shall coordinate with  
4 the superintendent in the development of an electronic filing system  
5 to receive requests for hearings and serve the chief police officer  
6 and superintendent as required in this section.

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

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

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

27 g. Disposition of fees. All fees for permits shall be paid to the  
28 State Treasury for deposit into the Victims of Crime Compensation  
29 Office account if the permit is issued by the superintendent, to the  
30 municipality if issued by the chief **【of】** police officer, and to the  
31 county treasurer if issued by the judge of the Superior Court.

32 h. Form of permit; **【quadruplicate】** establishment of a web  
33 portal; disposition of **【copies】** the completed information. (1)  
34 Except as otherwise provided in paragraph (2) of this subsection,  
35 the permit shall be in the form prescribed by the superintendent and  
36 shall be issued to the applicant **【in quadruplicate】** electronically  
37 through e-mail or the web portal established or designated for this  
38 purpose by the superintendent or in such form or manner as may be  
39 authorized by the superintendent. Prior to the time **【he】** the  
40 applicant receives the handgun from the seller, the applicant shall  
41 **【deliver】** provide to the seller an acknowledgement of the permit in  
42 **【quadruplicate】** the form required under the process established by  
43 the superintendent, and the seller shall complete all of the  
44 information required on the **【form】** web portal. **【Within five days**  
45 **of the date of the sale, the seller shall forward the original copy】**  
46 This information shall be forwarded to the superintendent through  
47 the web portal, or in such other manner as may be authorized by the

1 superintendent, and **【the second copy】** to the chief **【of】** police  
2 officer of the municipality in which the purchaser resides, except  
3 that in a municipality having no chief **【of】** police officer, **【the**  
4 **copy】** the information shall be forwarded to the superintendent.  
5 The **【third copy shall then be returned to the】** purchaser **【with the**  
6 **pistol or revolver】** shall retain a copy of the completed information  
7 and the **【fourth copy shall be kept by the】** seller shall retain a copy  
8 of the completed information as a permanent record.

9 A transfer of a handgun between or among immediate family  
10 members, law enforcement officers, or collectors of firearms or  
11 ammunition as curios or relics shall be conducted via the web portal  
12 established or designated by the superintendent, which shall include  
13 among other things a certification that the seller and purchaser are  
14 in fact immediate family members, law enforcement officers, or  
15 collectors of firearms or ammunition as curios or relics.

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

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

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

28 (2) a collector of handguns as curios or relics as defined in Title  
29 18, United States Code, section 921 (a) (13) who has in **【his】** the  
30 collector's possession a valid Collector of Curios and Relics  
31 License issued by the federal Bureau of Alcohol, Tobacco, Firearms  
32 and Explosives;

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

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

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

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

45 The provisions of this subsection shall not be construed to afford  
46 or authorize any other exemption from the regulatory provisions

1 governing firearms set forth in chapter 39 and chapter 58 of Title  
2 2C of the New Jersey Statutes;

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

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

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

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

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

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

1 o. Registration of handguns owned by new residents. Any  
2 person who becomes a resident of this State following the effective  
3 date of P.L.2022, c.52 and who transports into this State a firearm  
4 that the person owned or acquired while residing in another state  
5 shall apply for a **firearm** firearms purchaser identification card  
6 within 60 days of becoming a New Jersey resident, and shall  
7 register any handgun so transported into this State within 60 days as  
8 provided in this subsection.

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

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

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

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

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

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

45 p. A chief police officer or the superintendent may delegate to  
46 subordinate officers or employees of the law enforcement agency  
47 the responsibilities established pursuant to this section.

48 (cf: P.L.2022, c.58, s.1)

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

2 2C:58-4. a. Scope and duration of authority. Any person who  
3 holds a valid permit to carry a handgun issued pursuant to this  
4 section shall be authorized to carry a handgun in a holster concealed  
5 on their person in all parts of this State, except as prohibited by  
6 subsection e. of N.J.S.2C:39-5 and section 7 of P.L. , c. (C. )  
7 (pending before the Legislature as this bill). One permit shall be  
8 sufficient for all handguns owned by the holder thereof, but the  
9 permit shall apply only to a handgun carried by the actual and legal  
10 holder of the permit and, except as otherwise provided in subsection  
11 b. of section 6 of P.L. , c. (C. )(pending before the  
12 Legislature as this bill), shall not be construed to authorize a holder  
13 to carry a handgun openly, provided that a brief, incidental  
14 exposure of a handgun while transferring it to or from a holster or  
15 due to the shifting of the person's body position or clothing shall be  
16 deemed a de minimis infraction within the contemplation of  
17 N.J.S.2C:2-11.

18 All permits to carry handguns shall expire two years from the  
19 date of issuance or, in the case of an employee of an armored car  
20 company, upon termination of **his** the employee's employment by  
21 the company occurring prior thereto whichever is earlier in time,  
22 and they may thereafter be renewed every two years in the same  
23 manner and subject to the same conditions as in the case of original  
24 applications.

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

47 c. Investigation and approval. Each application shall be  
48 accompanied by a \$200 application fee and shall in the first

1 instance be submitted to the chief police officer of the municipality  
2 in which the applicant resides, or to the superintendent **[,]** if: (1)  
3 **[if]** the applicant is an employee of an armored car company **[,**  
4 **or]** ; (2) **[if]** there is no chief police officer in the municipality  
5 where the applicant resides **[, or]** ; (3) **[if]** the applicant does not  
6 reside in this State; or (4) the applicant is a mayor or other elected  
7 member of the municipal governing body.

8 In the case of an application made to the chief police officer of a  
9 municipality, \$150 of the fee shall be retained by the municipality  
10 and the remaining \$50 shall be forwarded to the superintendent.  
11 The fee amount retained by the municipality shall be used to defray  
12 the costs of investigation, administration, and processing of the  
13 permit to carry handgun applications. Application fees made to the  
14 superintendent shall be deposited into the Victims of Crime  
15 Compensation Office account.

16 The chief police officer, or the superintendent, as the case may  
17 be, shall determine whether the application is complete and, if so,  
18 shall cause the fingerprints of the applicant to be taken and  
19 compared with any and all records maintained by the municipality,  
20 the county in which it is located, the State Bureau of Identification  
21 and the Federal Bureau of Identification or; for an applicant who  
22 previously submitted fingerprints in order to apply for a firearms  
23 purchaser identification card or a permit to purchase a handgun in  
24 accordance with N.J.S.2C:58-3 or a permit to carry a handgun in  
25 accordance with this section, may solicit such other identification  
26 information as may be authorized by the superintendent for the  
27 conduct of a comparable criminal record check. **[He]** The chief  
28 police officer or the superintendent, as the case may be, shall also  
29 determine and record a complete description of each handgun the  
30 applicant intends to carry. The chief police officer, or the  
31 superintendent, as the case may be, shall interview the applicant and  
32 the persons endorsing the application under subsection b. of this  
33 section, and shall make inquiry concerning, and investigate to the  
34 extent warranted, whether the applicant is likely to engage in  
35 conduct that would result in harm to the applicant or others,  
36 including, but not limited to, whether the applicant has any history  
37 of threats or acts of violence by the applicant directed toward self or  
38 others or any history of use, attempted use, or threatened use of  
39 physical force by the applicant against another person, or other  
40 incidents implicating the disqualifying criteria set forth in  
41 subsection c. of N.J.S.2C:58-3, including but not limited to  
42 determining whether the applicant has been subject to any recent  
43 arrests or criminal charges for disqualifying crimes or has been  
44 experiencing any mental health issues such as suicidal ideation or  
45 violent impulses, and the applicant's use of drugs or alcohol.

46 The chief police officer or the superintendent may require such  
47 other information from the applicant or any other person, including

1 but not limited to publicly available statements posted or published  
2 online by the applicant, as the chief police officer or superintendent  
3 deems reasonably necessary to conduct the review of the  
4 application.

5 **【No】** An application shall not be approved by the chief police  
6 officer or the superintendent unless the applicant demonstrates that  
7 **【he】** the applicant is not subject to any of the disabilities set forth  
8 in subsection c. of N.J.S.2C:58-3, that 【he】 the applicant is  
9 thoroughly familiar with the safe handling and use of handguns,  
10 including providing proof of completion of any training or  
11 proficiency requirements established under the law, and that 【he  
12 has a justifiable need to carry a handgun】 the applicant is in  
13 compliance with the liability insurance requirement of section 4 of  
14 P.L. , c. (C. )(pending before the Legislature as this bill).

15 **【Each application form shall be accompanied by a written**  
16 **certification of justifiable need to carry a handgun, which shall be**  
17 **under oath and, in the case of a private citizen, shall specify in**  
18 **detail the urgent necessity for self-protection, as evidenced by**  
19 **specific threats or previous attacks which demonstrate a special**  
20 **danger to the applicant's life that cannot be avoided by means other**  
21 **than by issuance of a permit to carry a handgun. Where possible,**  
22 **the applicant shall corroborate the existence of any specific threats**  
23 **or previous attacks by reference to reports of the incidents to the**  
24 **appropriate law enforcement agencies.**

25 **If】** Once the application is 【not approved】 deemed complete by  
26 the chief police officer or the superintendent , if it is not approved  
27 or denied by the chief police officer or the superintendent within  
28 **【60】** 90 days of filing, it shall be deemed to have been approved  
29 **【unless the applicant agrees】; provided, however, the chief police**  
30 **officer or the superintendent may, for good cause shown and upon**  
31 **written notification to the applicant, extend by up to an additional**  
32 **30 days the time period for which the application may be approved**  
33 **or denied. The written notification sent to the applicant shall**  
34 **provide a detailed explanation of the reasons for the extension. An**  
35 **applicant also may agree in writing to an additional extension of**  
36 **time 【in writing】 past the 120 day statutory time frame.**

37 A chief police officer or the superintendent may delegate to  
38 subordinate officers or employees of the law enforcement agency  
39 the responsibilities established pursuant to this section.

40 d. **Issuance 【by Superior Court; fee】 of permit; establishment**  
41 **of web portal; disposition of completed information.** If the  
42 application has been approved by the chief police officer or the  
43 superintendent, as the case may be, the **【applicant shall forthwith**  
44 **present it to the Superior Court of the county in which the applicant**  
45 **resides, or to the Superior Court in any county where he intends to**  
46 **carry a handgun, in the case of a nonresident or employee of an**  
47 **armored car company. The court shall】 chief police officer or the**

1 superintendent shall issue the permit to the applicant in the form  
2 prescribed by the superintendent.

3 The permit shall be issued to the applicant electronically through  
4 electronic mail or through the web portal established or designated  
5 for this purpose by the superintendent, or in such form or manner as  
6 may be authorized by the superintendent, if, but only if, [it is  
7 satisfied] the chief police officer or superintendent determines that  
8 the applicant:

9 (1) [is a person of good character] has not engaged in any acts  
10 or made any statements that suggest the applicant is likely to  
11 engage in conduct, other than lawful self-defense, that would pose a  
12 danger to the applicant or others and [who] is not subject to any of  
13 the disabilities set forth in subsection c. of N.J.S.2C:58-3 [, that he  
14 is] ;

15 (2) is thoroughly familiar with the safe handling and use of  
16 handguns [,] ; [and that he has a justifiable need to carry a  
17 handgun in accordance with the provisions of subsection c. of this  
18 section. The court may at its discretion issue a limited-type permit  
19 which would restrict the applicant as to the types of handguns he  
20 may carry and where and for what purposes the handguns may be  
21 carried]

22 (3) has completed the training requirements established pursuant  
23 to subsection g. of this section, provided that any requirement for  
24 classroom instruction and target training shall not be required for a  
25 renewal applicant who completed the instruction and training when  
26 obtaining a permit to carry a handgun issued within the previous  
27 two years; and

28 (4) is in compliance with the liability insurance requirement of  
29 section 4 of P.L. , c. (C. )(pending before the Legislature as this  
30 bill).

31 [At the time of issuance, the applicant shall pay to the county  
32 clerk of the county where the permit was issued a permit fee of  
33 \$20.]

34 The provisions of this section requiring the issuance of a permit to  
35 carry a handgun utilizing the web portal established pursuant to this  
36 subsection and requiring the superintendent or chief police officer to  
37 determine that an applicant has completed the training requirement  
38 pursuant to subsection c. of this section and paragraph (3) of this  
39 subsection and is in compliance with the liability insurance  
40 requirements pursuant to subsection c. of this section and paragraph  
41 (4) of this subsection shall remain inoperative until the first day of the  
42 seventh month next following the date of enactment of P.L. ,  
43 c. (C. ) (pending before the Legislature as this bill).

44 e. Appeals from denial of applications. An applicant who is  
45 denied a permit to carry a handgun shall be provided with a written  
46 statement of the reasons for the denial. Any [person] applicant  
47 aggrieved by the denial by the chief police officer or the

1 superintendent of approval for a permit to carry a handgun may  
2 request a hearing in the Superior Court of the county in which **[he]**  
3 the applicant resides or in any county in which **[he]** the applicant  
4 intends to carry a handgun, in the case of a nonresident, by filing a  
5 written request for a hearing within 30 days of the denial. **[Copies]**  
6 The aggrieved applicant shall serve copies of the request **[shall be**  
7 **served]** upon the superintendent, the county prosecutor, and the  
8 chief police officer of the municipality where the applicant resides,  
9 if **[he]** the applicant is a resident of this State. The hearing shall be  
10 held within **[30] 60** days of the filing of the request, and no formal  
11 pleading or filing fee shall be required. Appeals from the  
12 determination at the hearing shall be in accordance with law and the  
13 rules governing the courts of this State.

14 **[If the superintendent or chief police officer approves an**  
15 **application and the Superior Court denies the application and**  
16 **refuses to issue a permit, the applicant may appeal the denial in**  
17 **accordance with law and the rules governing the courts of this**  
18 **State.]**

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

23 f. Revocation of permits. Any permit issued under this section  
24 shall be void at the time the holder thereof becomes subject to any  
25 of the disabilities set forth in subsection c. of N.J.S.2C:58-3, and  
26 the holder of a void permit shall immediately surrender the permit  
27 to the superintendent who shall give notice to the licensing  
28 authority. Any permit may be revoked by the Superior Court, after  
29 hearing upon notice to the holder, if the court finds that the holder  
30 is no longer qualified for the issuance of a permit. The county  
31 prosecutor of any county, the chief police officer of any  
32 municipality, the superintendent, or any citizen may apply to the  
33 court at any time for the revocation of any permit issued pursuant to  
34 this section.

35 g. Training requirement. (1) On or prior to the first day of the  
36 seventh month following the enactment of P.L. , c. (C. )  
37 (pending before the Legislature as this bill), the superintendent shall  
38 establish training requirements in the lawful and safe handling and  
39 storage of firearms, which shall consist of an online course of  
40 instruction, in-person classroom instruction, and target training  
41 administered by a certified firearm instructor on a firing range  
42 approved by the superintendent and on the list of approved ranges  
43 published on the State Police website. The training shall include, but  
44 not be limited to, demonstration of a level of proficiency in the use of  
45 a handgun in such manner as required by the superintendent and  
46 training, developed or approved in conjunction with the Police

1 Training Commission, on justification in the use of deadly force  
2 under State law.

3 (2) A person who obtained a permit pursuant to this section prior to  
4 the first day of the seventh month following the date of enactment  
5 of P.L. , c. (C. ) (pending before the Legislature as this bill) and  
6 which permit is not scheduled to expire until at least one year  
7 following the enactment of P.L. , c. (C. ) (pending before the  
8 Legislature as this bill) shall comply with the training requirement  
9 established pursuant to this subsection no later than the first day of  
10 the tenth month following the date of enactment of P.L. ,  
11 c. (C. ) (pending before the Legislature as this bill).

12 h. For purposes of this section, “holster” means a device or  
13 sheath that securely retains a handgun which, at a minimum,  
14 conceals and protects the main body of the firearm, maintains the  
15 firearm in a consistent and accessible position, and renders the  
16 trigger covered and inaccessible while the handgun is fully seated in  
17 the holster.

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

19

20 4. (New section) a. Every private citizen who carries a  
21 handgun in public in this State shall maintain liability insurance  
22 coverage insuring against loss resulting from liability imposed by  
23 law for bodily injury, death, and property damage sustained by any  
24 person arising out of the ownership, maintenance, operation or use  
25 of a firearm carried in public wherein such coverage shall be at least  
26 in an amount or limit of \$300,000, exclusive of interest and costs,  
27 on account of injury to or death of more than one person and for  
28 damage to property, in any one incident.

29 b. Proof of liability insurance, as required pursuant to  
30 subsection a. of this section, shall be produced by the person  
31 carrying a handgun in public, within a reasonable amount of time  
32 following any injury, death, or property damage alleged to have  
33 been caused by the person carrying the handgun in public. This  
34 requirement shall be satisfied by delivering a full and complete  
35 copy of the applicable policy or policies of insurance that meet the  
36 standards established by subsection a. of this section and that were  
37 in force at the time of the injury, death, or property damage.

38 Notwithstanding the provisions of this subsection, disclosure of  
39 policy information under this section shall not constitute an  
40 admission that the alleged injury, death, or property damage is  
41 subject to the policy.

42 Information concerning the insurance policy shall not be  
43 admissible as evidence at trial by reason of disclosure pursuant to  
44 this subsection. The disclosure shall be confidential and available  
45 only to the injured person, representative of the decedent, or owner  
46 of damaged property and the attorney representing the injured  
47 person, representative of the decedent, or owner of damaged  
48 property and personnel in the office of the attorney.

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

5

6 5. (New section) Safe carry requirements for authorized  
7 holders of a permit to carry a handgun.

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

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

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

14 (3) carry a handgun in public outside of a holster or carry a  
15 handgun in public in a holster that does not meet the requirements  
16 of subsection h. of N.J.S.2C:58-4;

17 (4) carry more than two firearms under the permittee's control at  
18 one time; or

19 (5) engage in an unjustified display of a handgun.

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

24 b. The holder of a permit to carry a handgun issued pursuant to  
25 N.J.S.2C:58-4, if stopped or detained by a law enforcement officer  
26 while carrying a handgun in public or traveling with a handgun in a  
27 motor vehicle, shall:

28 (1) immediately disclose to the law enforcement officer that they  
29 are carrying a handgun or that a handgun is stored in the vehicle;  
30 and

31 (2) display the permit to carry a handgun issued pursuant to  
32 N.J.S.2C:58-4.

33 A violation of paragraph (1) of this section shall be a crime of  
34 the fourth degree. A person who violates paragraph (2) of this  
35 subsection shall be guilty of a disorderly persons offense for a first  
36 offense and subject to a \$100 fine and a crime of the fourth degree  
37 for a second or subsequent offense.

38 c. A holder of a permit to carry a handgun issued pursuant to  
39 N.J.S.2C:58-4 who is carrying a handgun in public and is detained  
40 by a law enforcement officer as part of a criminal investigation  
41 shall provide the handgun to the law enforcement officer upon  
42 request for purposes of inspecting the handgun. The provisions of  
43 this subsection shall not be construed to affect or otherwise limit the  
44 authority of a law enforcement officer to conduct a lawful search or  
45 seizure.

46 A violation of this subsection shall be a crime of the fourth  
47 degree.

1       6. (New section) Requirements and restrictions on the lawful  
2 carrying of a handgun in public.

3       Except as permitted pursuant to N.J.S.2C:39-6, in addition to any  
4 criminal penalties under subsection b. of N.J.S.2C:39-5, sections 5  
5 and 7 of P.L. , c. (C. )(pending before the Legislature as this  
6 bill), or any other law, it shall be a crime of the fourth degree for  
7 any person in a public place:

8       a. to carry a handgun concealed on or about their person,  
9 except as permitted in accordance with N.J.S.2C:39-6, without  
10 possessing on their person a valid and lawfully issued permit to  
11 carry under N.J.S.2C:58-4 and proof of the liability insurance  
12 required pursuant to section 4 of P.L. , c. (C. )(pending before  
13 the Legislature as this bill); or

14       b. to carry a handgun openly, whether or not in possession of a  
15 valid and lawfully issued permit to carry under N.J.S.2C:58-4 and  
16 proof of the liability insurance required pursuant to section 4 of  
17 P.L. , c. (C. )(pending before the Legislature as this bill).

18  
19       7. (New section) Places where the carrying of a firearm or  
20 destructive device is prohibited.

21       a. Except as otherwise provided in this section and in the case  
22 of a brief, incidental entry onto property, which shall be deemed a  
23 de minimis infraction within the contemplation of N.J.S.2C:2-11, it  
24 shall be a crime of the third degree for any person, other than a  
25 person lawfully carrying a firearm within the authorized scope of an  
26 exemption set forth in N.J.S.2C:39-6, to knowingly carry a firearm as  
27 defined in subsection f. of N.J.S.2C:39-1 and a crime of the second  
28 degree to knowingly possess a destructive device as defined in  
29 subsection c. of N.J.S.2C:39-1 in any of the following places,  
30 including in or upon any part of the buildings, grounds, or parking  
31 area of:

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

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

37       (3) a State, county, or municipal correctional or juvenile justice  
38 facility, jail and any other place maintained by or for a  
39 governmental entity for the detention of criminal suspects or  
40 offenders;

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

42       (5) a location being used as a polling place during the conduct of  
43 an election and places used for the storage or tabulation of ballots;

44       (6) within 100 feet of a place where a public gathering,  
45 demonstration or event is held for which a government permit is  
46 required, during the conduct of such gathering, demonstration or  
47 event;

- 1 (7) a school, college, university or other educational institution,  
2 and on any school bus;
- 3 (8) a child care facility, including a day care center;
- 4 (9) a nursery school, pre-school, zoo, or summer camp;
- 5 (10) a park, beach, recreation facility or area or playground  
6 owned or controlled by a State, county or local government unit, or  
7 any part of such a place, which is designated as a gun free zone by  
8 the governing authority based on considerations of public safety;
- 9 (11) youth sports events, as defined in N.J.S.5:17-1, during and  
10 immediately preceding and following the conduct of the event,  
11 except that this provision shall not apply to participants of a youth  
12 sports event which is a firearm shooting competition to which  
13 paragraph (3) of subsection b. of section 14 of P.L.1979, c.179  
14 (C.2C:58-6.1) applies;
- 15 (12) a publicly owned or leased library or museum;
- 16 (13) a shelter for the homeless, emergency shelter for the  
17 homeless, basic center shelter program, shelter for homeless or  
18 runaway youth, children's shelter, child care shelter, shelter for  
19 victims of domestic violence, or any shelter licensed by or under the  
20 control of the Juvenile Justice Commission or the Department of  
21 Children and Families;
- 22 (14) a community residence for persons with developmental  
23 disabilities, head injuries, or terminal illnesses, or any other  
24 residential setting licensed by the Department of Human Services or  
25 Department of Health;
- 26 (15) a bar or restaurant where alcohol is served, and any other  
27 site or facility where alcohol is sold for consumption on the  
28 premises;
- 29 (16) a Class 5 Cannabis retailer or medical cannabis dispensary,  
30 including any consumption areas licensed or permitted by the  
31 Cannabis Regulatory Commission established pursuant to section  
32 31 of P.L.2019, c.153 (C.24:6I-24);
- 33 (17) a privately or publicly owned and operated entertainment  
34 facility within this State, including but not limited to a theater,  
35 stadium, museum, arena, racetrack or other place where  
36 performances, concerts, exhibits, games or contests are held;
- 37 (18) a casino and related facilities, including but not limited to  
38 appurtenant hotels, retail premises, restaurant and bar facilities, and  
39 entertainment and recreational venues located within the casino  
40 property;
- 41 (19) a plant or operation that produces, converts, distributes or  
42 stores energy or converts one form of energy to another;
- 43 (20) an airport or public transportation hub;
- 44 (21) a health care facility, including but not limited to a general  
45 hospital, special hospital, psychiatric hospital, public health center,  
46 diagnostic center, treatment center, rehabilitation center, extended  
47 care facility, skilled nursing home, nursing home, intermediate care  
48 facility, tuberculosis hospital, chronic disease hospital, maternity

1 hospital, outpatient clinic, dispensary, assisted living center, home  
2 health care agency, residential treatment facility, residential health  
3 care facility, medical office, or ambulatory care facility;

4 (22) a facility licensed or regulated by the Department of Human  
5 Services, Department of Children and Families, or Department of  
6 Health, other than a health care facility, that provides addiction or  
7 mental health treatment or support services;

8 (23) a public location being used for making motion picture or  
9 television images for theatrical, commercial or educational  
10 purposes, during the time such location is being used for that  
11 purpose;

12 (24) private property, including but not limited to residential,  
13 commercial, industrial, agricultural, institutional or undeveloped  
14 property, unless the owner has provided express consent or has  
15 posted a sign indicating that it is permissible to carry on the  
16 premises a concealed handgun with a valid and lawfully issued  
17 permit under N.J.S.2C:58-4, provided that nothing in this paragraph  
18 shall be construed to affect the authority to keep or carry a firearm  
19 established under subsection e. of N.J.S.2C:39-6; and

20 (25) any other place in which the carrying of a firearm is  
21 prohibited by statute or rule or regulation promulgated by a federal  
22 or State agency.

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

30 (2) A holder of a valid and lawfully issued permit to carry a  
31 handgun shall not leave a handgun outside of their immediate  
32 possession or control within a parked vehicle, unless the handgun is  
33 unloaded and contained in a closed and securely fastened case, or  
34 gunbox, and is not visible from outside of the vehicle, or is locked  
35 unloaded in the trunk or storage area of the vehicle.

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

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

44 (1) transport a concealed handgun or ammunition within a  
45 vehicle into or out of the parking area, provided that the handgun is  
46 unloaded and contained in a closed and securely fastened case,  
47 gunbox, or locked unloaded in the trunk or storage area of the  
48 vehicle;

- 1 (2) store a handgun or ammunition within a locked lock box and  
2 out of plain view within the vehicle in the parking area;
- 3 (3) transport a concealed handgun in the immediate area  
4 surrounding their vehicle within a prohibited parking lot area only  
5 for the limited purpose of storing or retrieving the handgun within a  
6 locked lock box in the vehicle's trunk or other place inside the  
7 vehicle that is out of plain view; and
- 8 (4) transport a concealed handgun between a vehicle parked  
9 within a prohibited parking lot area and a place other than a  
10 prohibited place enumerated in subsection a. of this section,  
11 provided that the person immediately leaves the parking lot area  
12 and does not enter into or on the grounds of the prohibited place  
13 with the handgun.
- 14 d. The holder of a valid and lawfully issued permit to carry  
15 under N.J.S.2C:58-4 shall not be in violation of subsection a. of this  
16 section while the holder is traveling along a public right-of-way that  
17 touches or crosses any of the places enumerated in subsection a. of  
18 this section if the concealed handgun is carried on their person in  
19 accordance with the provisions of this act or is being transported in  
20 a vehicle by the permit holder in accordance with all other  
21 applicable provisions of law.
- 22 e. (1) Nothing in this act shall be construed to prohibit the  
23 holder of a valid and lawfully issued permit under N.J.S.2C:58-4  
24 who is lawfully authorized to provide security at a place  
25 enumerated in subsection a. of this section from carrying a firearm,  
26 openly or concealed, provided that the authorization is set forth in  
27 writing, and only to the extent permitted by the entity responsible  
28 for security at the place in question.
- 29 (2) Unless otherwise required or prohibited by law, the owner or  
30 entity in control of any place enumerated in subsection a. of this  
31 section or owner or entity responsible for providing security may  
32 allow or prohibit retired law enforcement officers who are  
33 authorized to possess and carry a handgun pursuant to subsection l.  
34 of N.J.S.2C:39-6 or qualified retired law enforcement officers  
35 within the meaning of the federal "Law Enforcement Officers  
36 Safety Act of 2004," Pub.L. 108-277 to carry a concealed handgun  
37 on the premises of such place.
- 38 f. Nothing in this section shall be construed to prohibit an  
39 employee of an armored car company who is the holder of a valid  
40 and lawfully issued permit to carry a handgun issued pursuant to  
41 N.J.S.2C:58-4 who is contractually authorized to provide services  
42 for a client at a place enumerated in subsection a. of this section  
43 from carrying a firearm, openly, in the regular course of  
44 employment.
- 45 g. Nothing in this section shall prohibit the carrying or  
46 transporting of a firearm in accordance with subsections e. and f. of  
47 N.J.S.2C:39-6 or where it is otherwise expressly authorized by law.

1 8. N.J.S.2C:39-6 is amended to read as follows:

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

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

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

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

14 (4) A sheriff, undersheriff, sheriff's officer, [county prosecutor,  
15 assistant prosecutor,] prosecutor's detective or investigator, [deputy  
16 attorney general or] State investigator employed by the Division of  
17 Criminal Justice of the Department of Law and Public Safety,  
18 investigator employed by the State Commission of Investigation,  
19 inspector of the Alcoholic Beverage Control Enforcement Bureau of  
20 the Division of State Police in the Department of Law and Public  
21 Safety authorized to carry weapons by the Superintendent of State  
22 Police, State park police officer, or State conservation police  
23 officer;

24 (5) Except as hereinafter provided, a State correctional police  
25 officer, or a prison or jail warden of any penal institution in this  
26 State or the warden's deputies, or an employee of the Department of  
27 Corrections engaged in the interstate transportation of convicted  
28 offenders, while in the performance of the employee's duties, and  
29 when required to possess the weapon by a superior officer, or a  
30 correctional police officer or keeper of a penal institution in this  
31 State at all times while in the State of New Jersey, provided the  
32 person annually passes an examination approved by the  
33 superintendent testing the person's proficiency in the handling of  
34 firearms;

35 (6) A civilian employee of the United States Government under  
36 the supervision of the commanding officer of any post, camp,  
37 station, base or other military or naval installation located in this  
38 State who is required, in the performance of the employee's official  
39 duties, to carry firearms, and who is authorized to carry firearms by  
40 the commanding officer, while in the actual performance of the  
41 employee's official duties;

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

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

1 (c) An airport security officer or a special law enforcement  
2 officer appointed by the governing body of any county or  
3 municipality, except as provided in subparagraph (b) of this  
4 paragraph, or by the commission, board or other body having  
5 control of a county park or airport or boulevard police force, while  
6 engaged in the actual performance of the officer's official duties and  
7 when specifically authorized by the governing body to carry  
8 weapons;

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

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

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

41 (11) A county correctional police officer at all times while in the  
42 State of New Jersey, provided the officer annually passes an  
43 examination approved by the superintendent testing the officer's  
44 proficiency in the handling of firearms;

45 (12) A county prosecutor, assistant prosecutor, federal  
46 prosecutor, municipal prosecutor, Attorney General, assistant  
47 attorney general, deputy attorney general and federal, State, county,  
48 or municipal court judge, including a judge of the Tax Court and

1 any other court of limited jurisdiction established, altered, or  
2 abolished by law, a judge of the Office of Administrative Law, a  
3 judge of the Division of Workers' Compensation at all times while  
4 in this State. Prior to being permitted to carry a firearm, a person  
5 subject to this paragraph shall take and successfully complete a  
6 firearms training course administered by the Police Training  
7 Commission pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.), and  
8 shall annually qualify in the use of a handgun or similar weapon  
9 prior to being permitted to carry a firearm. The superintendent may  
10 issue identification cards indicating that such a person is permitted  
11 to carry a handgun pursuant to this paragraph.

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

13 (1) A law enforcement officer employed by a governmental  
14 agency outside of the State of New Jersey while actually engaged in  
15 the officer's official duties, provided, however, that the officer has  
16 first notified the superintendent or the chief law enforcement officer  
17 of the municipality or the prosecutor of the county in which the  
18 officer is engaged; or

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

25 c. Provided a person complies with the requirements of  
26 subsection j. of this section, subsections b. and c. of N.J.S.2C:39-5  
27 do not apply to:

28 (1) A special agent of the Division of Taxation who has passed  
29 an examination in an approved police training program testing  
30 proficiency in the handling of any firearm which the agent may be  
31 required to carry, while in the actual performance of the agent's  
32 official duties and while going to or from the agent's place of duty,  
33 or any other police officer, while in the actual performance of the  
34 officer's official duties;

35 (2) A State deputy conservation police officer or a full-time  
36 employee of the Division of Parks and Forestry having the power of  
37 arrest and authorized to carry weapons, while in the actual  
38 performance of the officer's official duties;

39 (3) (Deleted by amendment, P.L.1986, c.150.)

40 (4) A court attendant appointed by the sheriff of the county or  
41 by the judge of any municipal court or other court of this State,  
42 while in the actual performance of the attendant's official duties;

43 (5) A guard employed by any railway express company, banking  
44 or building and loan or savings and loan institution of this State,  
45 while in the actual performance of the guard's official duties;

46 (6) A member of a legally recognized military organization  
47 while actually under orders or while going to or from the prescribed

- 1 place of meeting and carrying the weapons prescribed for drill,  
2 exercise or parade;
- 3 (7) A municipal humane law enforcement officer, authorized  
4 pursuant to subsection d. of section 25 of P.L.2017, c.331 (C.4:22-  
5 14.1), or humane law enforcement officer of a county society for  
6 the prevention of cruelty to animals authorized pursuant to  
7 subsection c. of section 29 of P.L.2017, c.331 (C.4:22-14.5), while  
8 in the actual performance of the officer's duties;
- 9 (8) An employee of a public utilities corporation actually  
10 engaged in the transportation of explosives;
- 11 (9) A railway policeman, except a transit police officer of the  
12 New Jersey Transit Police Department, at all times while in the  
13 State of New Jersey, provided that the person has passed an  
14 approved police academy training program consisting of at least  
15 280 hours. The training program shall include, but need not be  
16 limited to, the handling of firearms, community relations, and  
17 juvenile relations;
- 18 (10) A campus police officer appointed under P.L.1970, c.211  
19 (C.18A:6-4.2 et seq.) at all times. Prior to being permitted to carry  
20 a firearm, a campus police officer shall take and successfully  
21 complete a firearms training course administered by the Police  
22 Training Commission, pursuant to P.L.1961, c.56 (C.52:17B-66 et  
23 seq.), and shall annually qualify in the use of a revolver or similar  
24 weapon prior to being permitted to carry a firearm;
- 25 (11) (Deleted by amendment, P.L.2003, c.168).
- 26 (12) A transit police officer of the New Jersey Transit Police  
27 Department, at all times while in the State of New Jersey, provided  
28 the officer has satisfied the training requirements of the Police  
29 Training Commission, pursuant to subsection c. of section 2 of  
30 P.L.1989, c.291 (C.27:25-15.1);
- 31 (13) A parole officer employed by the State Parole Board at all  
32 times. Prior to being permitted to carry a firearm, a parole officer  
33 shall take and successfully complete a basic course for regular  
34 police officer training administered by the Police Training  
35 Commission, pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.), and  
36 shall annually qualify in the use of a revolver or similar weapon  
37 prior to being permitted to carry a firearm;
- 38 (14) A Human Services police officer at all times while in the  
39 State of New Jersey, as authorized by the Commissioner of Human  
40 Services;
- 41 (15) A person or employee of any person who, pursuant to and as  
42 required by a contract with a governmental entity, supervises or  
43 transports persons charged with or convicted of an offense;
- 44 (16) A housing authority police officer appointed under  
45 P.L.1997, c.210 (C.40A:14-146.19 et al.) at all times while in the  
46 State of New Jersey; or
- 47 (17) A probation officer assigned to the "Probation Officer  
48 Community Safety Unit" created by section 2 of P.L.2001, c.362

1 (C.2B:10A-2) while in the actual performance of the probation  
2 officer's official duties. Prior to being permitted to carry a firearm,  
3 a probation officer shall take and successfully complete a basic  
4 course for regular police officer training administered by the Police  
5 Training Commission, pursuant to P.L.1961, c.56 (C.52:17B-66 et  
6 seq.), and shall annually qualify in the use of a revolver or similar  
7 weapon prior to being permitted to carry a firearm.

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

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

22 (3) Subsection a. of N.J.S.2C:39-3 and subsection d. of  
23 N.J.S.2C:39-5 do not apply to an unloaded antique cannon that is  
24 being transported by one eligible to possess it, in compliance with  
25 regulations the superintendent may promulgate, between its  
26 permanent location and place of purchase or repair.

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

36 (5) Subsection a. of N.J.S.2C:39-3 and subsection d. of  
37 N.J.S.2C:39-5 do not apply to the transportation of unloaded  
38 antique cannons directly to or from exhibitions or demonstrations  
39 authorized under paragraph (4) of subsection d. of this section,  
40 provided that the transportation is in compliance with safety  
41 regulations the superintendent may promulgate. Those subsections  
42 shall not apply to transportation directly to or from exhibitions or  
43 demonstrations authorized under the law of another jurisdiction,  
44 provided that the superintendent has been given 30 days' notice and  
45 that the transportation is in compliance with safety regulations the  
46 superintendent may promulgate.

47 e. Nothing in subsections b., c., and d. of N.J.S.2C:39-5 shall  
48 be construed to prevent a person keeping or carrying about the

1 person's place of business, residence, premises or other land owned  
2 or possessed by the person, any firearm, or from carrying the same,  
3 in the manner specified in subsection g. of this section, from any  
4 place of purchase to the person's residence or place of business,  
5 between the person's dwelling and place of business, between one  
6 place of business or residence and another when moving, or  
7 between the person's dwelling or place of business and place where  
8 the firearms are repaired, for the purpose of repair. For the  
9 purposes of this section, a place of business shall be deemed to be a  
10 fixed location.

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

13 (1) A member of any rifle or pistol club organized in accordance  
14 with the rules prescribed by the National Board for the Promotion  
15 of Rifle Practice, in going to or from a place of target practice,  
16 carrying firearms necessary for target practice, provided that the  
17 club has filed a copy of its charter with the superintendent and  
18 annually submits a list of its members to the superintendent and  
19 provided further that the firearms are carried in the manner  
20 specified in subsection g. of this section;

21 (2) A person carrying a firearm or knife in the woods or fields  
22 or upon the waters of this State for the purpose of hunting, target  
23 practice or fishing, provided that the firearm or knife is legal and  
24 appropriate for hunting or fishing purposes in this State and the  
25 person has in ~~his~~ the person's possession a valid hunting license,  
26 or, with respect to fresh water fishing, a valid fishing license;

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

28 (a) Directly to or from any place for the purpose of hunting or  
29 fishing, provided the person has in the person's possession a valid  
30 hunting or fishing license; or

31 (b) Directly to or from any target range, or other authorized  
32 place for the purpose of practice, match, target, trap or skeet  
33 shooting exhibitions, provided in all cases that during the course of  
34 the travel all firearms are carried in the manner specified in  
35 subsection g. of this section and the person has complied with all  
36 the provisions and requirements of Title 23 of the Revised Statutes  
37 and any amendments thereto and all rules and regulations  
38 promulgated thereunder; or

39 (c) In the case of a firearm, directly to or from any exhibition or  
40 display of firearms which is sponsored by any law enforcement  
41 agency, any rifle or pistol club, or any firearms collectors club, for  
42 the purpose of displaying the firearms to the public or to the  
43 members of the organization or club, provided, however, that not  
44 less than 30 days prior to the exhibition or display, notice of the  
45 exhibition or display shall be given to the Superintendent of the  
46 State Police by the sponsoring organization or club, and the sponsor  
47 has complied with any reasonable safety regulations the  
48 superintendent may promulgate. Any firearms transported pursuant

1 to this section shall be transported in the manner specified in  
2 subsection g. of this section;

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

8 g. Any weapon being transported under paragraph (2) of  
9 subsection b., subsection e., or paragraph (1) or (3) of subsection f.  
10 of this section shall be carried unloaded and contained in a closed  
11 and fastened case, gunbox, securely tied package, or locked in the  
12 trunk of the automobile in which it is being transported, and in the  
13 course of travel shall include only deviations as are reasonably  
14 necessary under the circumstances.

15 h. Nothing in subsection d. of N.J.S.2C:39-5 shall be construed  
16 to prevent any employee of a public utility, as defined in R.S.48:2-  
17 13, doing business in this State or any United States Postal Service  
18 employee, while in the actual performance of duties which  
19 specifically require regular and frequent visits to private premises,  
20 from possessing, carrying or using any device which projects,  
21 releases or emits any substance specified as being noninjurious to  
22 canines or other animals by the Commissioner of Health and which  
23 immobilizes only on a temporary basis and produces only  
24 temporary physical discomfort through being vaporized or  
25 otherwise dispensed in the air for the sole purpose of repelling  
26 canine or other animal attacks.

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

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

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

46 (2) Notwithstanding the provisions of paragraph (1) of this  
47 subsection, nothing in N.J.S.2C:39-5 shall be construed to prevent a  
48 health inspector or investigator operating pursuant to the provisions

1 of section 7 of P.L.1977, c.443 (C.26:3A2-25) or a building  
2 inspector from possessing a device which is capable of releasing  
3 more than three-quarters of an ounce of a chemical substance, as  
4 described in paragraph (1) of this subsection, while in the actual  
5 performance of the inspector's or investigator's duties, provided that  
6 the device does not exceed the size of those used by law  
7 enforcement.

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

12 The exempt person shall not possess or carry a firearm until the  
13 person has satisfactorily completed a firearms training course and  
14 shall annually qualify in the use of a revolver or similar weapon.  
15 For purposes of this subsection, a "firearms training course" means  
16 a course of instruction in the safe use, maintenance and storage of  
17 firearms which is approved by the Police Training Commission.  
18 The commission shall approve a firearms training course if the  
19 requirements of the course are substantially equivalent to the  
20 requirements for firearms training provided by police training  
21 courses which are certified under section 6 of P.L.1961, c.56  
22 (C.52:17B-71). A person who is specified in paragraph (1), (2), (3),  
23 or (6) of subsection a. of this section shall be exempt from the  
24 requirements of this subsection.

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

31 l. Nothing in subsection b. of N.J.S.2C:39-5 shall be construed  
32 to prevent a law enforcement officer who retired in good standing,  
33 including a retirement because of a disability pursuant to section 6  
34 of P.L.1944, c.255 (C.43:16A-6), section 7 of P.L.1944, c.255  
35 (C.43:16A-7), section 1 of P.L.1989, c.103 (C.43:16A-6.1), or any  
36 substantially similar statute governing the disability retirement of  
37 federal law enforcement officers, provided the officer was a  
38 regularly employed, full-time law enforcement officer for an  
39 aggregate of four or more years prior to the officer's disability  
40 retirement and further provided that the disability which constituted  
41 the basis for the officer's retirement did not involve a certification  
42 that the officer was mentally incapacitated for the performance of  
43 the officer's usual law enforcement duties and any other available  
44 duty in the department which the officer's employer was willing to  
45 assign to the officer or does not subject that retired officer to any of  
46 the disabilities set forth in subsection c. of N.J.S.2C:58-3 which  
47 would disqualify the retired officer from possessing or carrying a  
48 firearm, who semi-annually qualifies in the use of the handgun the

1 officer is permitted to carry in accordance with the requirements  
2 and procedures established by the Attorney General pursuant to  
3 subsection j. of this section and pays the actual costs associated  
4 with those semi-annual qualifications, who is 75 years of age or  
5 younger, and who was regularly employed as a full-time member of  
6 the State Police; a full-time member of an interstate police force; a  
7 full-time member of a county or municipal police department in this  
8 State; a full-time member of a State law enforcement agency; a full-  
9 time sheriff, undersheriff or sheriff's officer of a county of this  
10 State; a full-time State or county correctional police officer; a full-  
11 time State correctional police officer or county correctional police  
12 officer; a full-time State or county park police officer; a full-time  
13 special agent of the Division of Taxation; a full-time Human  
14 Services police officer; a full-time transit police officer of the New  
15 Jersey Transit Police Department; a full-time campus police officer  
16 exempted pursuant to paragraph (10) of subsection c. of this  
17 section; a full-time State conservation police officer exempted  
18 pursuant to paragraph (4) of subsection a. of this section; a full-time  
19 Palisades Interstate Park officer appointed pursuant to R.S.32:14-  
20 21; a full-time Burlington County Bridge police officer appointed  
21 pursuant to section 1 of P.L.1960, c.168 (C.27:19-36.3); a full-time  
22 housing authority police officer exempted pursuant to paragraph  
23 (16) of subsection c. of this section; a full-time juvenile correctional  
24 police officer exempted pursuant to paragraph (9) of subsection a.  
25 of this section; a full-time parole officer exempted pursuant to  
26 paragraph (13) of subsection c. of this section; a full-time railway  
27 policeman exempted pursuant to paragraph (9) of subsection c. of  
28 this section; a full-time county prosecutor's detective or  
29 investigator; a full-time federal law enforcement officer; or is a  
30 qualified retired law enforcement officer, as used in the federal  
31 "Law Enforcement Officers Safety Act of 2004," Pub.L. 108-277,  
32 domiciled in this State from carrying a handgun in the same manner  
33 as law enforcement officers exempted under paragraph (7) of  
34 subsection a. of this section. A retired law enforcement officer  
35 shall be entitled to carry a handgun pursuant to this subsection  
36 under the following conditions [provided herein] :

37 (1) The retired law enforcement officer shall make application  
38 in writing to the Superintendent of State Police for approval to carry  
39 a handgun **[for one year]** every two years. **[An]** A renewal  
40 application [for annual renewal] shall be submitted in the same  
41 manner.

42 (2) Upon receipt of the written application of the retired law  
43 enforcement officer, the superintendent shall request a verification  
44 of service from the chief law enforcement officer of the  
45 organization in which the retired officer was last regularly  
46 employed as a full-time law enforcement officer prior to retiring.  
47 The verification of service shall include:

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

- 1 (b) The date that the retired officer was hired and the date that  
2 the officer retired;
- 3 (c) A list of all handguns known to be registered to that officer;
- 4 (d) A statement that, to the reasonable knowledge of the chief  
5 law enforcement officer, the retired officer is not subject to any of  
6 the restrictions set forth in subsection c. of N.J.S.2C:58-3; and
- 7 (e) A statement that the officer retired in good standing.
- 8 (3) If the superintendent approves a retired officer's application  
9 or reapplication to carry a handgun pursuant to the provisions of  
10 this subsection, the superintendent shall notify in writing the chief  
11 law enforcement officer of the municipality wherein that retired  
12 officer resides. In the event the retired officer resides in a  
13 municipality which has no chief law enforcement officer or law  
14 enforcement agency, the superintendent shall maintain a record of  
15 the approval.
- 16 (4) The superintendent shall issue to an approved retired officer  
17 an identification card permitting the retired officer to carry a  
18 handgun pursuant to this subsection. This identification card shall  
19 be valid for **one year** two years from the date of issuance and  
20 shall be valid throughout the State. The identification card shall not  
21 be transferable to any other person. The identification card shall be  
22 carried at all times on the person of the retired officer while the  
23 retired officer is carrying a handgun. The retired officer shall  
24 produce the identification card for review on the demand of any law  
25 enforcement officer or authority.
- 26 (5) Any person aggrieved by the denial of the superintendent of  
27 approval for a permit to carry a handgun pursuant to this subsection  
28 may request a hearing in the Superior Court of New Jersey in the  
29 county in which the person resides by filing a written request for a  
30 hearing within 30 days of the denial. Copies of the request shall be  
31 served upon the superintendent and the county prosecutor. The  
32 hearing shall be held within 30 days of the filing of the request, and  
33 no formal pleading or filing fee shall be required. Appeals from the  
34 determination of the hearing shall be in accordance with law and the  
35 rules governing the courts of this State.
- 36 (6) A judge of the Superior Court may revoke a retired officer's  
37 privilege to carry a handgun pursuant to this subsection for good  
38 cause shown on the application of any interested person. A person  
39 who becomes subject to any of the disabilities set forth in  
40 subsection c. of N.J.S.2C:58-3 shall surrender, as prescribed by the  
41 superintendent, the person's identification card issued under  
42 paragraph (4) of this subsection to the chief law enforcement officer  
43 of the municipality wherein the person resides or the  
44 superintendent, and shall be permanently disqualified to carry a  
45 handgun under this subsection.
- 46 (7) The superintendent may charge a reasonable application fee  
47 to retired officers to offset any costs associated with administering  
48 the application process set forth in this subsection.

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

11 n. Nothing in subsection b., c., d. or e. of N.J.S.2C:39-5 shall  
12 be construed to prevent duly authorized personnel of the New  
13 Jersey Division of Fish and Wildlife, while in the actual  
14 performance of duties, from possessing, transporting or using hand  
15 held pistol-like devices, rifles or shotguns that launch pyrotechnic  
16 missiles for the sole purpose of frightening, hazing or aversive  
17 conditioning of nuisance or depredating wildlife; from possessing,  
18 transporting or using rifles, pistols or similar devices for the sole  
19 purpose of chemically immobilizing wild or non-domestic animals;  
20 or, provided the duly authorized person complies with the  
21 requirements of subsection j. of this section, from possessing,  
22 transporting or using rifles or shotguns, upon completion of a Police  
23 Training Commission approved training course, in order to dispatch  
24 injured or dangerous animals or for non-lethal use for the purpose  
25 of frightening, hazing or aversive conditioning of nuisance or  
26 depredating wildlife.

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

28

29 9. (New section) Notwithstanding any provision of the  
30 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et  
31 seq.) to the contrary, the Superintendent of State Police may adopt  
32 immediately upon filing with the Office of Administrative Law  
33 such regulations as the superintendent deems necessary to  
34 implement the provisions of P.L. , c. (C. ) (pending before the  
35 Legislature as this bill), which shall be effective for a period not to  
36 exceed 18 months, and may thereafter be amended, adopted, or  
37 readopted by the superintendent in accordance with the  
38 requirements of the “Administrative Procedure Act,” P.L.1968,  
39 c.410 (C.52:14B-1 et seq.).

40

41 10. (New section) a. Notwithstanding the provisions of  
42 subsection d. of N.J.S.2C:58-4, application determinations for a  
43 permit to carry a handgun that were pending before the Superior  
44 Court and filed prior to the date of enactment of P.L. , c. (C. )  
45 (pending before the Legislature as this bill) shall be made by the court.  
46 A Judge of the Superior Court may rely on the approval by the chief  
47 police officer or superintendent, as the case may be, as the basis for  
48 issuing the permit.

1       b. Application determinations for a permit to carry a handgun that  
2 are submitted on or after the date of enactment of P.L.     , c.   (C.   )  
3 (pending before the Legislature as this bill) shall be made by a chief  
4 police officer or superintendent, as the case may be, in accordance  
5 with subsection d. of N.J.S.2C:58-4.

6  
7       11. (New section) The provisions of P.L.             ,  
8 c. (C.       )(pending before the Legislature as this bill) are  
9 severable; if any provision, or application of any provision, of this  
10 amendatory and supplementary act is held invalid by any court, the  
11 holding or judgment shall not affect the remaining provisions or  
12 applications of the provisions thereof.

13  
14       12. Sections 2, 3, 7, and 10 of this act shall take effect  
15 immediately and the remainder of this act shall take effect on the  
16 first day of the seventh month next following the date of enactment,  
17 but the Attorney General, Superintendent of State Police, and  
18 Commissioner of Banking and Insurance may take such anticipatory  
19 action as is necessary for the implementation of this act.