

**SENATE, No. 2682**

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

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INTRODUCED MAY 19, 2022

**Sponsored by:**

**Senator EDWARD DURR**

**District 3 (Cumberland, Gloucester and Salem)**

**SYNOPSIS**

Reduces waiting period between handgun purchases from 30 to 14 days.

**CURRENT VERSION OF TEXT**

As introduced.



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2

1 AN ACT concerning handgun sales and purchases and amending  
2 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. N.J.S.2C:39-10 is amended to read as follows:

8 2C:39-10. Violation of the regulatory provisions relating to  
9 firearms; false representation in applications.

10 a. (1) Except as otherwise provided in paragraph (2) and  
11 paragraph (4) of this subsection, any person who knowingly violates  
12 the regulatory provisions relating to manufacturing or wholesaling  
13 of firearms N.J.S.2C:58-1, retailing of firearms N.J.S.2C:58-2,  
14 permits to purchase certain firearms N.J.S.2C:58-3, permits to carry  
15 certain firearms N.J.S.2C:58-4, licenses to procure machine guns or  
16 assault firearms N.J.S.2C:58-5, or incendiary or tracer ammunition  
17 N.J.S.2C:58-10, except acts which are punishable under section  
18 N.J.S.2C:58-5 or section N.J.S.2C:58-2, is guilty of a crime of the  
19 fourth degree.

20 (2) A licensed dealer who knowingly violates the provisions of  
21 subparagraph (d) of paragraph (5) of subsection a. of N.J.S.2C:58-2  
22 is a disorderly person.

23 (3) If, upon review, a law enforcement agency determines that a  
24 licensed dealer has sold, transferred, assigned, or otherwise  
25 disposed of an inordinate number of firearms and that licensed  
26 dealer knew, or should have known, that the firearms would be used  
27 in the commission of a crime or would be transferred to a person in  
28 order for the firearms to be used for an unlawful purpose, that  
29 dealer's license shall, after a hearing, be permanently revoked.

30 (4) A licensed dealer who sells or transfers a firearm to a person  
31 knowing that person intends to sell, transfer, assign, or otherwise  
32 dispose of that firearm to a person who is disqualified from  
33 possessing a firearm under State or federal law is guilty of a crime  
34 of the second degree. Notwithstanding any other provisions of law  
35 to the contrary, the sentence imposed for a conviction under this  
36 subsection shall include a mandatory minimum term of  
37 imprisonment of 18 months, during which the defendant shall be  
38 ineligible for parole; provided however, if the firearm was used in  
39 the commission of a crime, the sentence imposed under this  
40 subsection shall include a mandatory minimum term of  
41 imprisonment of three years, during which the defendant shall be  
42 ineligible for parole. Further, a person convicted under this  
43 subsection shall be permanently disqualified from holding a retail  
44 license under N.J.S.2C:58-2.

**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 (5) A person who is disqualified from possessing a firearm  
2 under State or federal law who knowingly solicits, persuades,  
3 encourages, or entices a licensed dealer or other person to sell, give,  
4 transfer, or assign a firearm to the disqualified person under  
5 circumstances which the disqualified person knows would violate  
6 State or federal law is guilty of a crime of the third degree.  
7 Notwithstanding the provisions of N.J.S.2C:1-8 or any other law, a  
8 conviction under this subsection shall not merge with a conviction  
9 for any other criminal offense and the court shall impose separate  
10 sentences upon a violation of this subsection and any other criminal  
11 offense.

12 b. Any person who knowingly violates the regulatory  
13 provisions relating to notifying the authorities of possessing certain  
14 items of explosives N.J.S.2C:58-7, or of certain wounds  
15 N.J.S.2C:58-8 is a disorderly person.

16 c. Any person who gives or causes to be given any false  
17 information, or signs a fictitious name or address, in applying for a  
18 firearms purchaser identification card, a permit to purchase a  
19 handgun, a permit to carry a handgun, a permit to possess a machine  
20 gun, a permit to possess an assault firearm, or in completing the  
21 certificate or any other instrument required by law in purchasing or  
22 otherwise acquiring delivery of any rifle, shotgun, handgun,  
23 machine gun, or assault firearm or any other firearm, is guilty of a  
24 crime of the third degree.

25 d. Any person who gives or causes to be given any false  
26 information in registering an assault firearm pursuant to section 11  
27 of P.L.1990, c.32 (C.2C:58-12) or in certifying that an assault  
28 firearm was rendered inoperable pursuant to section 12 of P.L.1990,  
29 c.32 (C.2C:58-13) commits a crime of the fourth degree.

30 e. Any person who knowingly sells, gives, transfers, assigns or  
31 otherwise disposes of a firearm to a person who is under the age of  
32 18 years, except as permitted in section 14 of P.L.1979, c.179  
33 (C.2C:58-6.1), is guilty of a crime of the second degree.  
34 Notwithstanding any other provision of law to the contrary, the  
35 sentence imposed for a conviction under this subsection shall  
36 include a mandatory minimum five-year term of imprisonment,  
37 during which the defendant shall be ineligible for parole.

38 f. Unless the recipient is authorized to possess the handgun in  
39 connection with the performance of official duties under the  
40 provisions of N.J.S.2C:39-6, any person who knowingly sells,  
41 gives, transfers, assigns or otherwise disposes of a handgun to a  
42 person who is under the age of 21 years, except as permitted in  
43 section 14 of P.L.1979, c.179 (C.2C:58-6.1), is guilty of a crime of  
44 the third degree.

45 g. Any person who knowingly gives or causes to be given any  
46 false information or knowingly engages in any other fraudulent  
47 conduct in applying for an exemption to purchase more than one  
48 handgun in a **【30-day】** 14-day period in violation of the provisions

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1 of section 4 of P.L.2009, c.186 (C.2C:58-3.4) shall be guilty of a  
2 crime of the third degree. The presumption of nonimprisonment set  
3 forth in N.J.S.2C:44-1 shall not apply to persons convicted under  
4 the provisions of this subsection.

5 (cf: P.L.2019, c.166, s.1)

6

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

8 2C:58-2. a. Licensing of retail dealers and their employees. No  
9 retail dealer of firearms nor any employee of a retail dealer shall  
10 sell or expose for sale, or possess with the intent of selling, any  
11 firearm unless licensed to do so as hereinafter provided. The  
12 superintendent shall prescribe standards and qualifications for retail  
13 dealers of firearms and their employees for the protection of the  
14 public safety, health and welfare.

15 Applications shall be made in the form prescribed by the  
16 superintendent, accompanied by a fee of \$50 payable to the  
17 superintendent, and shall be made to a judge of the Superior Court  
18 in the county where the applicant maintains his place of business.  
19 The judge shall grant a license to an applicant if he finds that the  
20 applicant meets the standards and qualifications established by the  
21 superintendent and that the applicant can be permitted to engage in  
22 business as a retail dealer of firearms or employee thereof without  
23 any danger to the public safety, health and welfare. Each license  
24 shall be valid for a period of three years from the date of issuance,  
25 and shall authorize the holder to sell firearms at retail in a specified  
26 municipality.

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

32 No license shall be granted to any retail dealer under the age of  
33 21 years or to any employee of a retail dealer under the age of 18 or  
34 to any person who could not qualify to obtain a permit to purchase a  
35 handgun or a firearms purchaser identification card, or to any  
36 corporation, partnership or other business organization in which the  
37 actual or equitable controlling interest is held or possessed by such  
38 an ineligible person.

39 All licenses shall be granted subject to the following conditions,  
40 for breach of any of which the license shall be subject to revocation  
41 on the application of any law enforcement officer and after notice  
42 and hearing by the issuing court:

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

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

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

4 (4) No rifle or shotgun, except antique rifles or shotguns, shall  
5 be delivered to any person unless such person possesses and  
6 exhibits a valid firearms purchaser identification card and furnishes  
7 the seller, on the form prescribed by the superintendent, a  
8 certification signed by him setting forth his name, permanent  
9 address, firearms purchaser identification card number and such  
10 other information as the superintendent may by rule or regulation  
11 require. The certification shall be retained by the dealer and shall  
12 be made available for inspection by any law enforcement officer at  
13 any reasonable time.

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

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

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

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

21 (d) The handgun is accompanied by a trigger lock or a locked  
22 case, gun box, container or other secure facility; provided, however,  
23 this provision shall not apply to antique handguns or personalized  
24 handguns included in the roster pursuant to section 2 of P.L.2019,  
25 c.164 (C.2C:58-2.8). The exemptions afforded under this  
26 subparagraph for antique handguns and personalized handguns shall  
27 be narrowly construed, limited solely to the requirements set forth  
28 herein and shall not be deemed to afford or authorize any other  
29 exemption from the regulatory provisions governing firearms set  
30 forth in chapter 39 and chapter 58 of Title 2C of the New Jersey  
31 Statutes; and

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

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

38 (7) A dealer shall not knowingly deliver more than one handgun  
39 to any person within any **【30-day】** 14-day period. This limitation  
40 shall not apply to:

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

44 (b) a collector of handguns as curios or relics as defined in Title  
45 18, United States Code, section 921 (a) (13) who has in his  
46 possession a valid Collector of Curios and Relics License issued by  
47 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

- 1 (c) transfers of handguns among licensed retail dealers,  
2 registered wholesale dealers and registered manufacturers;
- 3 (d) any transaction where the person has purchased a handgun  
4 from a licensed retail dealer and has returned that handgun to the  
5 dealer in exchange for another handgun within ~~【30 days】~~ 14 days  
6 of the original transaction, provided the retail dealer reports the  
7 exchange transaction to the superintendent; or
- 8 (e) any transaction where the superintendent issues an  
9 exemption from the prohibition in this subsection pursuant to the  
10 provisions of section 4 of P.L.2009, c.186 (C.2C:58-3.4).
- 11 b. Records. Every person engaged in the retail business of  
12 selling, leasing or otherwise transferring a handgun, as a retail  
13 dealer or otherwise, shall keep a register in which shall be entered  
14 the time of the sale, lease or other transfer, the date thereof, the  
15 name, age, date of birth, complexion, occupation, residence and a  
16 physical description including distinguishing physical  
17 characteristics, if any, of the purchaser, lessee or transferee, the  
18 name and permanent home address of the person making the sale,  
19 lease or transfer, the place of the transaction, and the make, model,  
20 manufacturer's number, caliber and other marks of identification on  
21 such handgun and such other information as the superintendent  
22 shall deem necessary for the proper enforcement of this chapter.  
23 The register shall be retained by the dealer and shall be made  
24 available at all reasonable hours for inspection by any law  
25 enforcement officer.
- 26 c. Forms of register. The superintendent shall prepare the form  
27 of the register as described in subsection b. of this section and  
28 furnish the same in triplicate to each person licensed to be engaged  
29 in the business of selling, leasing or otherwise transferring firearms.
- 30 d. Signatures in register. The purchaser, lessee or transferee of  
31 any handgun shall sign, and the dealer shall require him to sign his  
32 name to the register, in triplicate, and the person making the sale,  
33 lease or transfer shall affix his name, in triplicate, as a witness to  
34 the signature. The signatures shall constitute a representation of the  
35 accuracy of the information contained in the register.
- 36 e. Copies of register entries; delivery to chief of police or  
37 county clerk. Within five days of the date of the sale, assignment or  
38 transfer, the dealer shall deliver or mail by certified mail, return  
39 receipt requested, legible copies of the register forms to the office  
40 of the chief of police of the municipality in which the purchaser  
41 resides, or to the office of the captain of the precinct of the  
42 municipality in which the purchaser resides, and to the  
43 superintendent. If hand delivered a receipt shall be given to the  
44 dealer therefor.
- 45 Where a sale, assignment or transfer is made to a purchaser who  
46 resides in a municipality having no chief of police, the dealer shall,  
47 within five days of the transaction, mail a duplicate copy of the

1 register sheet to the clerk of the county within which the purchaser  
2 resides.

3 (cf: P.L.2019, c.164, s.7)

4

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

6 2C:58-3. a. Permit to purchase a handgun.

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

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

16 The provisions of this paragraph shall not apply if the transaction  
17 is:

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

20 (b) between law enforcement officers;

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

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

28 (3) Prior to a transaction conducted pursuant to this subsection,  
29 the retail dealer shall complete a National Instant Criminal  
30 Background Check of the person acquiring the handgun. In  
31 addition:

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

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

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

41 (d) any record produced pursuant to this subsection shall not be  
42 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-  
43 1 et seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

44 b. Firearms purchaser identification card.

45 (1) No person shall sell, give, transfer, assign or otherwise  
46 dispose of nor receive, purchase or otherwise acquire an antique  
47 cannon or a rifle or shotgun, other than an antique rifle or shotgun,  
48 unless the purchaser, assignee, donee, receiver or holder is licensed

1 as a dealer under this chapter or possesses a valid firearms  
2 purchaser identification card, and first exhibits the card to the seller,  
3 donor, transferor or assignor, and unless the purchaser, assignee,  
4 donee, receiver or holder signs a written certification, on a form  
5 prescribed by the superintendent, which shall indicate that he  
6 presently complies with the requirements of subsection c. of this  
7 section and shall contain his name, address and firearms purchaser  
8 identification card number or dealer's registration number. The  
9 certification shall be retained by the seller, as provided in paragraph  
10 (4) of subsection a. of N.J.S.2C:58-2, or, in the case of a person  
11 who is not a dealer, it may be filed with the chief of police of the  
12 municipality in which he resides or with the superintendent.

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

18 The provisions of this paragraph shall not apply if the transaction  
19 is:

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

22 (b) between law enforcement officers;

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

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

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

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

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

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

43 (d) any record produced pursuant to this subsection shall not be  
44 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-  
45 1 et seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

46 c. Who may obtain. No person of good character and good  
47 repute in the community in which he lives, and who is not subject to  
48 any of the disabilities set forth in this section or other sections of



1 this chapter, shall be denied a permit to purchase a handgun or a  
2 firearms purchaser identification card, except as hereinafter set  
3 forth. No handgun purchase permit or firearms purchaser  
4 identification card shall be issued:

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

9 (2) To any drug-dependent person as defined in section 2 of  
10 P.L.1970, c.226 (C.24:21-2), to any person who is confined for a  
11 mental disorder to a hospital, mental institution or sanitarium, or to  
12 any person who is presently an habitual drunkard;

13 (3) To any person who suffers from a physical defect or disease  
14 which would make it unsafe for him to handle firearms, to any  
15 person who has ever been confined for a mental disorder, or to any  
16 alcoholic unless any of the foregoing persons produces a certificate  
17 of a medical doctor or psychiatrist licensed in New Jersey, or other  
18 satisfactory proof, that he is no longer suffering from that particular  
19 disability in a manner that would interfere with or handicap him in  
20 the handling of firearms; to any person who knowingly falsifies any  
21 information on the application form for a handgun purchase permit  
22 or firearms purchaser identification card;

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

26 (5) To any person where the issuance would not be in the  
27 interest of the public health, safety or welfare;

28 (6) To any person who is subject to a restraining order issued  
29 pursuant to the "Prevention of Domestic Violence Act of 1991",  
30 P.L.1991, c.261 (C.2C:25-17 et seq.) prohibiting the person from  
31 possessing any firearm;

32 (7) To any person who as a juvenile was adjudicated delinquent  
33 for an offense which, if committed by an adult, would constitute a  
34 crime and the offense involved the unlawful use or possession of a  
35 weapon, explosive or destructive device or is enumerated in  
36 subsection d. of section 2 of P.L.1997, c.117 (C.2C:43-7.2);

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

40 (9) To any person named on the consolidated Terrorist Watchlist  
41 maintained by the Terrorist Screening Center administered by the  
42 Federal Bureau of Investigation;

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

1 (11) To any person who is subject to a court order prohibiting  
2 the custody, control, ownership, purchase, possession, or receipt of  
3 a firearm or ammunition issued pursuant to P.L.2021, c.327  
4 (C.2C:12-14 et al.).

5 d. Issuance. The chief of police of an organized full-time  
6 police department of the municipality where the applicant resides or  
7 the superintendent, in all other cases, shall upon application, issue  
8 to any person qualified under the provisions of subsection c. of this  
9 section a permit to purchase a handgun or a firearms purchaser  
10 identification card.

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

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

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

17 Application blanks shall be obtainable from the superintendent,  
18 from any other officer authorized to grant a permit or identification  
19 card, and from licensed retail dealers.

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

34 f. Granting of permit or identification card; fee; term; renewal;  
35 revocation. The application for the permit to purchase a handgun  
36 together with a fee of \$2, or the application for the firearms  
37 purchaser identification card together with a fee of \$5, shall be  
38 delivered or forwarded to the licensing authority who shall  
39 investigate the same and, unless good cause for the denial thereof  
40 appears, shall grant the permit or the identification card, or both, if  
41 application has been made therefor, within 30 days from the date of  
42 receipt of the application for residents of this State and within 45  
43 days for nonresident applicants. A permit to purchase a handgun  
44 shall be valid for a period of 90 days from the date of issuance and  
45 may be renewed by the issuing authority for good cause for an  
46 additional 90 days. A firearms purchaser identification card shall  
47 be valid until such time as the holder becomes subject to any of the  
48 disabilities set forth in subsection c. of this section, whereupon the

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

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

16 g. Disposition of fees. All fees for permits shall be paid to the  
17 State Treasury if the permit is issued by the superintendent, to the  
18 municipality if issued by the chief of police, and to the county  
19 treasurer if issued by the judge of the Superior Court.

20 h. Form of permit; quadruplicate; disposition of copies. The  
21 permit shall be in the form prescribed by the superintendent and  
22 shall be issued to the applicant in quadruplicate. Prior to the time  
23 he receives the handgun from the seller, the applicant shall deliver  
24 to the seller the permit in quadruplicate and the seller shall  
25 complete all of the information required on the form. Within five  
26 days of the date of the sale, the seller shall forward the original  
27 copy to the superintendent and the second copy to the chief of  
28 police of the municipality in which the purchaser resides, except  
29 that in a municipality having no chief of police, the copy shall be  
30 forwarded to the superintendent. The third copy shall then be  
31 returned to the purchaser with the pistol or revolver and the fourth  
32 copy shall be kept by the seller as a permanent record.

33 i. Restriction on number of firearms person may purchase.  
34 Only one handgun shall be purchased or delivered on each permit  
35 and no more than one handgun shall be purchased within any **【30-**  
36 **day】** 14-day period, but this limitation shall not apply to:

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

40 (2) a collector of handguns as curios or relics as defined in Title  
41 18, United States Code, section 921 (a) (13) who has in his  
42 possession a valid Collector of Curios and Relics License issued by  
43 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

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

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

1 (5) any transaction where the person has purchased a handgun  
2 from a licensed retail dealer and has returned that handgun to the  
3 dealer in exchange for another handgun within ~~【30 days】~~ 14 days  
4 of the original transaction, provided the retail dealer reports the  
5 exchange transaction to the superintendent; or

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

9 The provisions of this subsection shall not be construed to afford  
10 or authorize any other exemption from the regulatory provisions  
11 governing firearms set forth in chapter 39 and chapter 58 of Title  
12 2C of the New Jersey Statutes;

13 A person shall not be restricted as to the number of rifles or  
14 shotguns he may purchase, provided he possesses a valid firearms  
15 purchaser identification card and provided further that he signs the  
16 certification required in subsection b. of this section for each  
17 transaction.

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

34 k. Sawed-off shotguns. Nothing in this section shall be  
35 construed to authorize the purchase or possession of any sawed-off  
36 shotgun.

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

44 m. The provisions of subsections a. and b. of this section and  
45 paragraphs (4) and (5) of subsection a. of N.J.S.2C:58-2 shall not  
46 apply to the purchase of firearms by a law enforcement agency for  
47 use by law enforcement officers in the actual performance of the  
48 current or former judge's duties, which purchase may be made

1 directly from a manufacturer or from a licensed dealer located in  
2 this State or any other state.

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

9 (cf: P.L.2021, c.327, s.6)

10

11 4. Section 4 of P.L.2009, c.186 (C.2C:58-3.4) is amended to  
12 read as follows:

13 4. a. The superintendent may grant an exemption from the  
14 restriction on the purchase of handguns set forth in subsection i. of  
15 N.J.S.2C:58-3 if the applicant demonstrates to the satisfaction of the  
16 superintendent that the applicant's request meets one of the  
17 following conditions:

18 (1) The application is to purchase multiple handguns from a  
19 person who obtained the handguns through inheritance or intestacy;

20 (2) The applicant is a collector of handguns and has a need to  
21 purchase or otherwise receive multiple handguns in the same  
22 transaction or within a **【30-day】** 14-day period in furtherance of the  
23 applicant's collecting activities. As used in this paragraph, "need"  
24 shall include, but not be limited to, situations where there is a  
25 reasonable likelihood that the additional handguns sought to be  
26 purchased would not be readily available after the **【30-day】** 14-day  
27 period, that it would not be feasible or practical to purchase the  
28 handguns separately, or that prohibiting the purchase of more than  
29 one handgun within a **【30-day】** 14-day period would have a  
30 materially adverse impact on the applicant's ability to enhance his  
31 collection. As used in this paragraph, "collector" shall include any  
32 person who devotes time and attention to acquiring firearms for the  
33 enhancement of the person's collection: as curios; for inheritance;  
34 for historical, investment, training and competitive, recreational,  
35 educational, scientific, or defensive purposes; or any or other lawful  
36 related purpose. If an applicant is a member of an organized gun  
37 club; firearms competitors organization; firearms collectors  
38 organization; or any other organization dedicated to the acquisition,  
39 preservation, or use of firearms for historical, investment, training  
40 and competitive, recreational, educational, scientific, or defensive  
41 purposes, or any other lawful related purpose, such membership  
42 shall be considered in determining whether the applicant qualifies  
43 as a collector; or

44 (3) The applicant participates in sanctioned handgun shooting  
45 competitions and needs to purchase or otherwise receive multiple  
46 handguns in a single transaction or within a **【30-day】** 14-day  
47 period, and the need is related to the applicant's competitive

1 shooting activities, including use in or training for sanctioned  
2 competitions.

3 b. The applicant shall certify, on a form prescribed by the  
4 superintendent, the specific exemption sought and the particular  
5 handguns to be purchased. This form shall be submitted to the  
6 superintendent at the same time as the permit to purchase a  
7 handgun, along with any pertinent documentation supporting the  
8 need for an exemption. If the information concerning the particular  
9 handguns to be purchased is not available when the form is  
10 submitted, that information shall be provided to the superintendent  
11 as soon as practicable thereafter. The superintendent shall consider  
12 the veracity, accuracy, and completeness of the information  
13 provided in determining whether the applicant meets the  
14 requirements for an exemption pursuant to this section. In  
15 considering whether an applicant qualifies as a collector under  
16 paragraph (2) of subsection a. of this section, the superintendent  
17 shall not consider the number of guns in the applicant's collection.  
18 In considering an exemption sought under paragraph (2) of  
19 subsection a. of this section, the superintendent shall not consider  
20 the merit or validity of the applicant's collecting activities.

21 The superintendent shall not grant an exemption if he finds a  
22 reasonable likelihood that the public safety would be endangered by  
23 granting the exemption, including but not limited to instances where  
24 the applicant may be purchasing a handgun to give, sell or distribute  
25 to a person who would not qualify to purchase or otherwise acquire  
26 a handgun under the provisions of this chapter.

27 The exemptions set forth in this section shall not be construed  
28 and are not intended to authorize multiple handgun purchases where  
29 the sole justification set forth by the applicant is that the seller  
30 offers a discount for the purchase of more than one handgun.

31 c. Any person aggrieved by the denial of a request for an  
32 exemption pursuant to this paragraph may request a hearing in the  
33 Superior Court. The request for a hearing shall be made within 30  
34 days of the denial of the application for an exemption. The  
35 applicant shall serve a copy of his request for a hearing upon the  
36 superintendent. The hearing shall be held and a record made  
37 thereof within 30 days of the receipt for the application for such a  
38 hearing by the judge of the Superior Court. The judge shall grant  
39 the request for the exemption if the judge finds that the denial of the  
40 applicant's request was an abuse of discretion, arbitrary or  
41 capricious, or a misapplication of the requirements for an  
42 exemption as a matter of law.

43 d. Notwithstanding the provisions of the "Administrative  
44 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the  
45 superintendent may adopt, immediately upon filing with the Office  
46 of Administrative Law, such temporary regulations as the  
47 superintendent deems necessary to implement the provisions of  
48 P.L.2009, c.186 (C.2C:58-3.4 et al.). The regulations so adopted

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16

1 shall be effective for a period not to exceed 270 days from the date  
2 of the filing, but in no case shall those regulations be in effect one  
3 year after the effective date of P.L.2009, c.186 (C.2C:58-3.4 et al.).  
4 The regulations may thereafter be amended, adopted or readopted  
5 by the superintendent as the superintendent deems necessary in  
6 accordance with the requirements of the "Administrative Procedure  
7 Act."  
8 (cf: P.L.2009, c.186, s.4)

9  
10 5. This act shall take effect immediately.

11  
12

13 **STATEMENT**

14

15 This bill reduces the required waiting period between handgun  
16 purchases.

17 Under current law, the holder of a handgun purchaser permit may  
18 buy only one handgun in a 30-day period, with limited exemptions  
19 for certain persons, such as collectors and competitive shooters.

20 This bill reduces the waiting period between handgun purchases  
21 from 30 to 14 days.