

[First Reprint]

SENATE, No. 2903

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED JUNE 20, 2022

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

Co-Sponsored by:

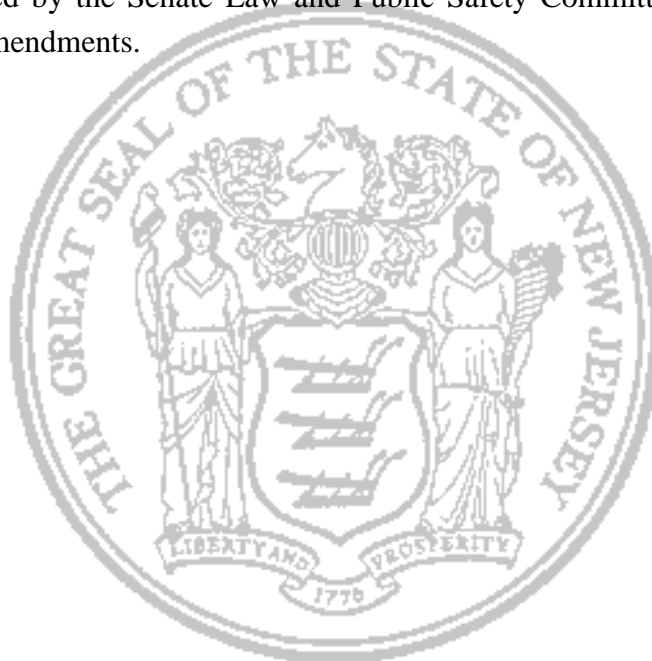
Senators Gill, Johnson and Pou

SYNOPSIS

Regulates sale of handgun ammunition and develops system of electronic reporting of handgun ammunition sales.

CURRENT VERSION OF TEXT

As reported by the Senate Law and Public Safety Committee on June 23, 2022, with amendments.



(Sponsorship Updated As Of: 6/29/2022)

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

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

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

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

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

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

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

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

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

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

Matter underlined thus is new matter

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SLP committee amendments adopted June 23, 2022.

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

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

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

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

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

33

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

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

42 Applications shall be made in the form prescribed by the
43 superintendent, accompanied by a fee of \$50 payable to the
44 superintendent, and shall be made to a judge of the Superior Court
45 in the county where the applicant maintains his place of business.
46 The judge shall grant a license to an applicant if he finds that the
47 applicant meets the standards and qualifications established by the
48 superintendent and that the applicant can be permitted to engage in

1 business as a retail dealer of firearms or employee thereof without
2 any danger to the public safety, health and welfare. Each license
3 shall be valid for a period of three years from the date of issuance,
4 and shall authorize the holder to sell firearms at retail in a specified
5 municipality.

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

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

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

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

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

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

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

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

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

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

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

1 (d) The handgun is accompanied by a trigger lock or a locked
2 case, gun box, container or other secure facility; provided, however,
3 this provision shall not apply to antique handguns or personalized
4 handguns included in the roster pursuant to section 2 of P.L.2019,
5 c.164 (C.2C:58-2.8). The exemptions afforded under this
6 subparagraph for antique handguns and personalized handguns shall
7 be narrowly construed, limited solely to the requirements set forth
8 herein and shall not be deemed to afford or authorize any other
9 exemption from the regulatory provisions governing firearms set
10 forth in chapter 39 and chapter 58 of Title 2C of the New Jersey
11 Statutes; and

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

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

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

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

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

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

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

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

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

1 proper enforcement of this chapter. The register shall be retained by
2 the dealer and shall be made available at all reasonable hours for
3 inspection by any law enforcement officer.

4 (2) Every person engaged in the retail business of selling,
5 leasing, or otherwise transferring handgun ammunition, as a retail
6 dealer or otherwise, shall keep an electronic record in which shall
7 be entered the name of the manufacturer; the date of the transaction;
8 the type; caliber or gauge of the ammunition; the quantity of the
9 ammunition sold; the name, address, and date of birth of the
10 purchaser; the identification used to establish the identity of the
11 purchaser; and any other information the superintendent shall deem
12 necessary for the proper enforcement of this chapter.

13 The electronic records shall be retained by the dealer and shall be
14 made available at all reasonable hours for inspection by any law
15 enforcement officer, and additionally shall be electronically
16 reported to the superintendent in accordance with section ¹~~4~~ ⁵ of
17 P.L. , c. (C.) (pending before the Legislature as this bill).

18 ¹(3) Every retail dealer in the business of selling or otherwise
19 transferring handgun ammunition shall immediately electronically
20 report to the State Police any transaction involving the sale,
21 transfer, assignment, or disposition of 2,000 or more rounds of
22 handgun ammunition and information relating to each transaction in
23 accordance with this subsection.

24 Until the implementation of the electronic record system
25 described in paragraph (2) of subsection b. of this section or section
26 5 of P.L. , c. (C.) (pending before the Legislature as this
27 bill), the retail dealer shall immediately contact the State Police
28 regarding the sale, transfer, assignment, or disposition of 2,000 or
29 more rounds of handgun ammunition in accordance with guidelines
30 established by the superintendent.¹

31 c. Forms of register.

32 **【The】** (1) Until the implementation of the electronic record
33 system described in paragraph (2) of subsection b. of this section or
34 section ¹~~4~~ ⁵ of P.L. , c. (C.) (pending before the
35 Legislature as this bill), the superintendent shall prepare the form of
36 the register as described in paragraph (1) of subsection b. of this
37 section and furnish the same in triplicate to each person licensed to
38 be engaged in the business of selling, leasing or otherwise
39 transferring firearms.

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

44 d. Signatures in register. **【The】** Until the dealer implements an
45 electronic record system as described in paragraph (2) of subsection
46 b. of this section or section ¹~~4~~ ⁵ of P.L. , c. (C.)
47 (pending before the Legislature as this bill), the purchaser, lessee or

1 transferee of any handgun shall sign, and the dealer shall require
2 him to sign his name to the register, in triplicate, and the person
3 making the sale, lease or transfer shall affix his name, in triplicate,
4 as a witness to the signature. The signatures, or the entry of an
5 electronic signature in the electronic record system pursuant to
6 paragraph (2) of subsection b. of this section or section ¹[4] ⁵ of
7 P.L. , c. (C.) (pending before the Legislature as this bill),
8 shall constitute a representation of the accuracy of the information
9 contained in the register.

10 e. Copies of register entries; delivery to chief of police or
11 county clerk.

12 **[Within]** (1) Except as otherwise provided in paragraph (2) of
13 this subsection, within five days of the date of the sale, assignment
14 or transfer, the dealer shall deliver or mail by certified mail, return
15 receipt requested, legible copies of the register forms to the office
16 of the chief of police of the municipality in which the purchaser
17 resides, or to the office of the captain of the precinct of the
18 municipality in which the purchaser resides, and to the
19 superintendent. If hand delivered a receipt shall be given to the
20 dealer therefor.

21 Where a sale, assignment or transfer is made to a purchaser who
22 resides in a municipality having no chief of police, the dealer shall,
23 within five days of the transaction, mail a duplicate copy of the
24 register sheet to the clerk of the county within which the purchaser
25 resides.

26 (2) A dealer shall not be required to use the triplicate form after
27 the dealer establishes an electronic reporting system pursuant to
28 paragraph (2) of subsection b. of this section ¹[4] ⁵ of
29 P.L. , c. (C.) (pending before the Legislature as this bill).
30 (cf: P.L.2019, c.164, s.7)

31
32 ¹[3. N.J.S.2C:58-3 is amended to read as follows:

33 2C:58-3. a. Permit to purchase a handgun.

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

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

43 The provisions of this paragraph shall not apply if the transaction
44 is:

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

47 (b) between law enforcement officers;

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

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

8 (3) Prior to a transaction conducted pursuant to this subsection,
9 the retail dealer shall complete a National Instant Criminal
10 Background Check of the person acquiring the handgun. In
11 addition:

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

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

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

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

24 b. Firearms purchaser identification card.

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

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

46 The provisions of this paragraph shall not apply if the transaction
47 is:

- 1 (a) between members of an immediate family as defined in
2 subsection n. of this section;
- 3 (b) between law enforcement officers;
- 4 (c) between collectors of firearms or ammunition as curios or
5 relics as defined in Title 18, U.S.C. section 921 (a) (13) who have
6 in their possession a valid Collector of Curios and Relics License
7 issued by the Bureau of Alcohol, Tobacco, Firearms, and
8 Explosives; or
- 9 (d) a temporary transfer pursuant to section 1 of P.L.1992, c.74
10 (C.2C:58-3.1) and section 1 of P.L.1997, c.375 (C.2C:58-3.2).
- 11 (3) Prior to a transaction conducted pursuant to this subsection,
12 the retail dealer shall complete a National Instant Criminal
13 Background Check of the person acquiring an antique cannon or a
14 rifle or shotgun. In addition:
- 15 (a) the retail dealer shall submit to the Superintendent of State
16 Police, on a form approved by the superintendent, information
17 identifying and confirming the background check;
- 18 (b) every retail dealer shall maintain a record of transactions
19 conducted pursuant to this section which shall be maintained at the
20 address set forth on the retail dealer's license for inspection by a law
21 enforcement officer during reasonable hours;
- 22 (c) a retail dealer may charge a fee for a transaction conducted
23 pursuant to this subsection; and
- 24 (d) any record produced pursuant to this subsection shall not be
25 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et
26 seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).
- 27 c. Who may obtain. No person of good character and good
28 repute in the community in which he lives, and who is not subject to
29 any of the disabilities set forth in this section or other sections of
30 this chapter, shall be denied a permit to purchase a handgun or a
31 firearms purchaser identification card, except as hereinafter set
32 forth. No handgun purchase permit or firearms purchaser
33 identification card shall be issued:
- 34 (1) To any person who has been convicted of any crime, or a
35 disorderly persons offense involving an act of domestic violence as
36 defined in section 3 of P.L.1991, c.261 (C.2C:25-19), whether or
37 not armed with or possessing a weapon at the time of the offense;
- 38 (2) To any drug-dependent person as defined in section 2 of
39 P.L.1970, c.226 (C.24:21-2), to any person who is confined for a
40 mental disorder to a hospital, mental institution or sanitarium, or to
41 any person who is presently an habitual drunkard;
- 42 (3) To any person who suffers from a physical defect or disease
43 which would make it unsafe for him to handle firearms, to any
44 person who has ever been confined for a mental disorder, or to any
45 alcoholic unless any of the foregoing persons produces a certificate
46 of a medical doctor or psychiatrist licensed in New Jersey, or other
47 satisfactory proof, that he is no longer suffering from that particular
48 disability in a manner that would interfere with or handicap him in

1 the handling of firearms; to any person who knowingly falsifies any
2 information on the application form for a handgun purchase permit
3 or firearms purchaser identification card;

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

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

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

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

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

21 (9) To any person named on the consolidated Terrorist Watchlist
22 maintained by the Terrorist Screening Center administered by the
23 Federal Bureau of Investigation;

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

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

33 d. Issuance. The chief of police of an organized full-time
34 police department of the municipality where the applicant resides or
35 the superintendent, in all other cases, shall upon application, issue
36 to any person qualified under the provisions of subsection c. of this
37 section a permit to purchase a handgun or a firearms purchaser
38 identification card.

39 Any person aggrieved by the denial of a permit or identification
40 card may request a hearing in the Superior Court of the county in
41 which he resides if he is a resident of New Jersey or in the Superior
42 Court of the county in which his application was filed if he is a
43 nonresident. The request for a hearing shall be made in writing
44 within 30 days of the denial of the application for a permit or
45 identification card. The applicant shall serve a copy of his request
46 for a hearing upon the chief of police of the municipality in which
47 he resides, if he is a resident of New Jersey, and upon the
48 superintendent in all cases. The hearing shall be held and a record

1 made thereof within 30 days of the receipt of the application for a
2 hearing by the judge of the Superior Court. No formal pleading and
3 no filing fee shall be required as a preliminary to a hearing.
4 Appeals from the results of a hearing shall be in accordance with
5 law.

6 e. Applications. Applications for permits to purchase a
7 handgun and for firearms purchaser identification cards shall be in
8 the form prescribed by the superintendent and shall set forth the
9 name, residence, place of business, age, date of birth, occupation,
10 sex and physical description, including distinguishing physical
11 characteristics, if any, of the applicant, and shall state whether the
12 applicant is a citizen, whether he is an alcoholic, habitual drunkard,
13 drug-dependent person as defined in section 2 of P.L.1970, c.226
14 (C.24:21-2), whether he has ever been confined or committed to a
15 mental institution or hospital for treatment or observation of a
16 mental or psychiatric condition on a temporary, interim or
17 permanent basis, giving the name and location of the institution or
18 hospital and the dates of confinement or commitment, whether he
19 has been attended, treated or observed by any doctor or psychiatrist
20 or at any hospital or mental institution on an inpatient or outpatient
21 basis for any mental or psychiatric condition, giving the name and
22 location of the doctor, psychiatrist, hospital or institution and the
23 dates of the occurrence, whether he presently or ever has been a
24 member of any organization which advocates or approves the
25 commission of acts of force and violence to overthrow the
26 Government of the United States or of this State, or which seeks to
27 deny others their rights under the Constitution of either the United
28 States or the State of New Jersey, whether he has ever been
29 convicted of a crime or disorderly persons offense, whether the
30 person is subject to a restraining order issued pursuant to the
31 "Prevention of Domestic Violence Act of 1991", P.L.1991, c.261
32 (C.2C:25-17 et seq.) prohibiting the person from possessing any
33 firearm, whether the person is subject to a protective order issued
34 pursuant to the "Extreme Risk Protective Order Act of 2018",
35 P.L.2018, c.35 (C.2C:58-20 et al.), whether the person is subject to
36 a protective order issued pursuant to P.L.2021, c.327 (C.2C:12-14
37 et al.) prohibiting the person from possessing any firearm, and other
38 information as the superintendent shall deem necessary for the
39 proper enforcement of this chapter. For the purpose of complying
40 with this subsection, the applicant shall waive any statutory or other
41 right of confidentiality relating to institutional confinement. The
42 application shall be signed by the applicant and shall contain as
43 references the names and addresses of two reputable citizens
44 personally acquainted with him.

45 Application blanks shall be obtainable from the superintendent,
46 from any other officer authorized to grant a permit or identification
47 card, and from licensed retail dealers, or shall be made available

1 through an online process established or made available by the
2 superintendent.

3 The chief police officer or the superintendent shall obtain the
4 fingerprints of the applicant and shall have them compared with any
5 and all records of fingerprints in the municipality and county in
6 which the applicant resides and also the records of the State Bureau
7 of Identification and the Federal Bureau of Investigation, provided
8 that an applicant for a handgun purchase permit who possesses a
9 valid firearms purchaser identification card, or who has previously
10 obtained a handgun purchase permit from the same licensing
11 authority for which he was previously fingerprinted, and who
12 provides other reasonably satisfactory proof of his identity, need not
13 be fingerprinted again; however, the chief police officer or the
14 superintendent shall proceed to investigate the application to
15 determine whether or not the applicant has become subject to any of
16 the disabilities set forth in this chapter.

17 f. Granting of permit or identification card; fee; term; renewal;
18 revocation. The application for the permit to purchase a handgun
19 together with a fee of \$2, or the application for the firearms
20 purchaser identification card together with a fee of \$5, shall be
21 delivered or forwarded to the licensing authority who shall
22 investigate the same and, unless good cause for the denial thereof
23 appears, shall grant the permit or the identification card, or both, if
24 application has been made therefor, within 30 days from the date of
25 receipt of the application for residents of this State and within 45
26 days for nonresident applicants. A permit to purchase a handgun
27 shall be valid for a period of 90 days from the date of issuance and
28 may be renewed by the issuing authority for good cause for an
29 additional 90 days. A firearms purchaser identification card shall
30 be valid until such time as the holder becomes subject to any of the
31 disabilities set forth in subsection c. of this section, whereupon the
32 card shall be void and shall be returned within five days by the
33 holder to the superintendent, who shall then advise the licensing
34 authority. Failure of the holder to return the firearms purchaser
35 identification card to the superintendent within the five days shall
36 be an offense under subsection a. of N.J.S.2C:39-10. Any firearms
37 purchaser identification card may be revoked by the Superior Court
38 of the county wherein the card was issued, after hearing upon
39 notice, upon a finding that the holder thereof no longer qualifies for
40 the issuance of the permit. The county prosecutor of any county,
41 the chief police officer of any municipality or any citizen may apply
42 to the court at any time for the revocation of the card.

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

47 g. Disposition of fees. All fees for permits shall be paid to the
48 State Treasury if the permit is issued by the superintendent, to the

1 municipality if issued by the chief of police, and to the county
2 treasurer if issued by the judge of the Superior Court.

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

4 **【The】** (1) Except as otherwise provided in paragraph (2) of this
5 subsection, the permit shall be in the form prescribed by the
6 superintendent and shall be issued to the applicant in quadruplicate.
7 Prior to the time he receives the handgun from the seller, the
8 applicant shall deliver to the seller the permit in quadruplicate and
9 the seller shall complete all of the information required on the form.
10 Within five days of the date of the sale, the seller shall forward the
11 original copy to the superintendent and the second copy to the chief
12 of police of the municipality in which the purchaser resides, except
13 that in a municipality having no chief of police, the copy shall be
14 forwarded to the superintendent. The third copy shall then be
15 returned to the purchaser with the pistol or revolver and the fourth
16 copy shall be kept by the seller as a permanent record.

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

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

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

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

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

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

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

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

46 The provisions of this subsection shall not be construed to afford
47 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 may purchase, provided he possesses a valid firearms
5 purchaser identification card and provided further that he signs the
6 certification required in subsection b. of this section for each
7 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 heir or legatee,
13 whether the same be by testamentary bequest or by the laws of
14 intestacy. The person who shall so receive, or acquire the firearm
15 shall, however, be subject to all other provisions of this chapter. If
16 the heir or legatee of the firearm does not qualify to possess or carry
17 it, he may retain ownership of the firearm for the purpose of sale for
18 a period not exceeding 180 days, or for a further limited period as
19 may be approved by the chief law enforcement officer of the
20 municipality in which the heir or legatee resides or the
21 superintendent, provided that the firearm is in the custody of the
22 chief law enforcement officer of the municipality or the
23 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 duties, which purchase may be made
39 directly from a manufacturer or from a licensed dealer located in
40 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.

47 (cf: P.L.2021, c.327, s.6) **I**¹

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

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

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

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

12 The provisions of this paragraph shall not apply if the transaction
13 is:

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

16 (b) between law enforcement officers;

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

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

24 (3) Prior to a transaction conducted pursuant to this subsection,
25 the retail dealer shall complete a National Instant Criminal
26 Background Check of the person acquiring the handgun. In
27 addition:

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

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

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

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

40 b. Firearms purchaser identification card.

41 (1) No person shall sell, give, transfer, assign or otherwise
42 dispose of nor receive, purchase or otherwise acquire an antique
43 cannon or a rifle or shotgun, other than an antique rifle or shotgun,
44 unless the purchaser, assignee, donee, receiver or holder is licensed
45 as a dealer under this chapter or possesses a valid firearms
46 purchaser identification card, and first exhibits the card to the seller,
47 donor, transferor or assignor, and unless the purchaser, assignee,
48 donee, receiver or holder signs a written certification, on a form

1 prescribed by the superintendent, which shall indicate that he
2 presently complies with the requirements of subsection c. of this
3 section and shall contain his name, address and firearms purchaser
4 identification card number or dealer's registration number. The
5 certification shall be retained by the seller, as provided in paragraph
6 (4) of subsection a. of N.J.S.2C:58-2, or, in the case of a person
7 who is not a dealer, it may be filed with the chief of police of the
8 municipality in which he resides or with the superintendent.

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

14 The provisions of this paragraph shall not apply if the transaction
15 is:

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

18 (b) between law enforcement officers;

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

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

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

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

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

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

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

42 c. Who may obtain. No person of good character and good
43 repute in the community in which he lives, and who is not subject to
44 any of the disabilities set forth in this section or other sections of
45 this chapter, shall be denied a permit to purchase a handgun or a
46 firearms purchaser identification card, except as hereinafter set
47 forth. No handgun purchase permit or firearms purchaser
48 identification card shall be issued:

- 1 (1) To any person who has been convicted of any crime, or a
2 disorderly persons offense involving an act of domestic violence as
3 defined in section 3 of P.L.1991, c.261 (C.2C:25-19), whether or
4 not armed with or possessing a weapon at the time of the offense;
- 5 (2) To any drug-dependent person as defined in section 2 of
6 P.L.1970, c.226 (C.24:21-2), to any person who is confined for a
7 mental disorder to a hospital, mental institution or sanitarium, or to
8 any person who is presently an habitual drunkard;
- 9 (3) To any person who suffers from a physical defect or disease
10 which would make it unsafe for him to handle firearms, to any
11 person who has ever been confined for a mental disorder, or to any
12 alcoholic unless any of the foregoing persons produces a certificate
13 of a medical doctor or psychiatrist licensed in New Jersey, or other
14 satisfactory proof, that he is no longer suffering from that particular
15 disability in a manner that would interfere with or handicap him in
16 the handling of firearms; to any person who knowingly falsifies any
17 information on the application form for a handgun purchase permit
18 or firearms purchaser identification card;
- 19 (4) To any person under the age of 18 years for a firearms
20 purchaser identification card and to any person under the age of 21
21 years for a permit to purchase a handgun;
- 22 (5) To any person where the issuance would not be in the interest
23 of the public health, safety or welfare;
- 24 (6) To any person who is subject to a restraining order issued
25 pursuant to the "Prevention of Domestic Violence Act of 1991",
26 P.L.1991, c.261 (C.2C:25-17 et seq.) prohibiting the person from
27 possessing any firearm;
- 28 (7) To any person who as a juvenile was adjudicated delinquent
29 for an offense which, if committed by an adult, would constitute a
30 crime and the offense involved the unlawful use or possession of a
31 weapon, explosive or destructive device or is enumerated in
32 subsection d. of section 2 of P.L.1997, c.117 (C.2C:43-7.2);
- 33 (8) To any person whose firearm is seized pursuant to the
34 "Prevention of Domestic Violence Act of 1991", P.L.1991, c.261
35 (C.2C:25-17 et seq.) and whose firearm has not been returned; or
- 36 (9) To any person named on the consolidated Terrorist Watchlist
37 maintained by the Terrorist Screening Center administered by the
38 Federal Bureau of Investigation;
- 39 (10) To any person who is subject to a court order prohibiting the
40 custody, control, ownership, purchase, possession, or receipt of a
41 firearm or ammunition issued pursuant to the "Extreme Risk
42 Protective Order Act of 2018", P.L.2018, c.35 (C.2C:58-20 et al.);
43 or
- 44 (11) To any person who is subject to a court order prohibiting the
45 custody, control, ownership, purchase, possession, or receipt of a
46 firearm or ammunition issued pursuant to P.L.2021, c.327
47 (C.2C:12-14 et al.).

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

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

22 e. Applications. Applications for permits to purchase a
23 handgun and for firearms purchaser identification cards shall be in
24 the form prescribed by the superintendent and shall set forth the
25 name, residence, place of business, age, date of birth, occupation,
26 sex and physical description, including distinguishing physical
27 characteristics, if any, of the applicant, and shall state whether the
28 applicant is a citizen, whether he is an alcoholic, habitual drunkard,
29 drug-dependent person as defined in section 2 of P.L.1970, c.226
30 (C.24:21-2), whether he has ever been confined or committed to a
31 mental institution or hospital for treatment or observation of a
32 mental or psychiatric condition on a temporary, interim or
33 permanent basis, giving the name and location of the institution or
34 hospital and the dates of confinement or commitment, whether he
35 has been attended, treated or observed by any doctor or psychiatrist
36 or at any hospital or mental institution on an inpatient or outpatient
37 basis for any mental or psychiatric condition, giving the name and
38 location of the doctor, psychiatrist, hospital or institution and the
39 dates of the occurrence, whether he presently or ever has been a
40 member of any organization which advocates or approves the
41 commission of acts of force and violence to overthrow the
42 Government of the United States or of this State, or which seeks to
43 deny others their rights under the Constitution of either the United
44 States or the State of New Jersey, whether he has ever been
45 convicted of a crime or disorderly persons offense, whether the
46 person is subject to a restraining order issued pursuant to the
47 "Prevention of Domestic Violence Act of 1991", P.L.1991, c.261
48 (C.2C:25-17 et seq.) prohibiting the person from possessing any

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

13 Application blanks shall be obtainable from the superintendent,
14 from any other officer authorized to grant a permit or identification
15 card, and from licensed retail dealers, or shall be made available
16 through an online process established or made available by the
17 superintendent.

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

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

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

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

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

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

19 **【The】** (1) Except as otherwise provided in paragraph (2) of this
20 subsection, the permit shall be in the form prescribed by the
21 superintendent and shall be issued to the applicant in quadruplicate.
22 Prior to the time he receives the handgun from the seller, the
23 applicant shall deliver to the seller the permit in quadruplicate and
24 the seller shall complete all of the information required on the form.
25 Within five days of the date of the sale, the seller shall forward the
26 original copy to the superintendent and the second copy to the chief
27 of police of the municipality in which the purchaser resides, except
28 that in a municipality having no chief of police, the copy shall be
29 forwarded to the superintendent. The third copy shall then be
30 returned to the purchaser with the pistol or revolver and the fourth
31 copy shall be kept by the seller as a permanent record.

32 (2) The requirements of this subsection concerning the delivery
33 and form of permit and disposition of copies shall not be applicable
34 when these functions may be completed by utilizing an electronic
35 system as described in paragraph (2) of subsection b. of
36 N.J.S.2C:58-2 or section 5 of P.L. , c. (C.) (pending before
37 the Legislature as this bill).

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

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

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

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

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

5 (5) any transaction where the person has purchased a handgun
6 from a licensed retail dealer and has returned that handgun to the
7 dealer in exchange for another handgun within 30 days of the
8 original transaction, provided the retail dealer reports the exchange
9 transaction to the superintendent; or

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

13 The provisions of this subsection shall not be construed to afford
14 or authorize any other exemption from the regulatory provisions
15 governing firearms set forth in chapter 39 and chapter 58 of Title
16 2C of the New Jersey Statutes;

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

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

38 k. Sawed-off shotguns. Nothing in this section shall be
39 construed to authorize the purchase or possession of any sawed-off
40 shotgun.

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

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

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

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

15
16 4. Section 1 of P.L.2007, c.318 (C.2C:58-3.3) is amended to
17 read as follows:

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

19 "Ammunition" means an object consisting of all of the following
20 components: a fixed metallic or nonmetallic hull casing containing
21 a primer; one or more projectiles, one or more bullets, or shot; and
22 gunpowder. All of the specified components shall be present for an
23 object to be ammunition. As used in this section, ammunition shall
24 not include, without limitation, blank ammunition, air gun pellets,
25 flare gun ammunition, nail gun ammunition, paint ball ammunition,
26 or any non-fixed ammunition.

27 "Handgun ammunition" means ammunition **["specifically]**
28 designed **["to"]** such that it may be used **["only"]** in a handgun,
29 including ammunition specifically designed to be used only in a
30 handgun, as well as ammunition intended for use in any other
31 firearm and which may be interchangeable between rifles and
32 handguns. "Handgun ammunition" shall not include **["blank**
33 ammunition, air gun pellets, flare gun ammunition, nail gun
34 ammunition, paint ball ammunition, or any non-fixed**"]** ammunition
35 specifically designed to be used only in a rifle or shotgun.

36 b. **["No"]** A person shall not sell, give, transfer, assign or
37 otherwise dispose of, or receive, purchase, or otherwise acquire
38 handgun ammunition unless the purchaser, assignee, donee, receiver
39 or holder is licensed as a manufacturer, wholesaler, or dealer under
40 this chapter or is the holder of and possesses a valid firearms
41 purchaser identification card, a valid copy of a permit to purchase a
42 handgun, or a valid permit to carry a handgun and first exhibits
43 **["such"]** the card or permit to the seller, donor, transferor, or assignor
44 along with a valid, current driver's license; valid, current nondriver
45 identification card; or other valid, current government-issued form
46 of photo identification.

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

4 d. The provisions of this section shall not apply to a collector
5 of firearms or ammunition as curios or relics who purchases,
6 receives, acquires, possesses, or transfers handgun ammunition
7 which is recognized as being historical in nature or of historical
8 significance.

9 e. A person who violates this section shall be guilty of a crime
10 of the fourth degree, except that nothing contained herein shall be
11 construed to prohibit the sale, transfer, assignment or disposition of
12 handgun ammunition to or the purchase, receipt or acceptance of
13 ammunition by a law enforcement agency or law enforcement
14 official for law enforcement purposes.

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

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

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

27
28 5. (New section) a. (1) The Superintendent of State Police
29 shall develop a program for retail dealers of handgun ammunition to
30 electronically report a record of any transaction involving the sale,
31 transfer, assignment, or disposition of handgun ammunition and
32 information relating to each transaction. The reported information
33 shall include: the date of the transaction; the name of the
34 manufacturer, the caliber or gauge, and the quantity of ammunition
35 sold or transferred; the name, address, and date of birth of the
36 purchaser; the identification used to establish the identity of the
37 purchaser; and any other information the superintendent may
38 require.

39 (2) Subject to the time limitations established in paragraph (2)
40 of subsection c. of ¹[section 2 of P.L. , c. (C.) (pending
41 before the Legislature as this bill)] N.J.S.2C:58-2¹, every retail
42 dealer of ammunition as defined in section 1 of P.L.2007, c.318
43 (C.2C:58-3.3) shall electronically report to the superintendent a
44 record of any transaction involving the sale, transfer, assignment, or
45 disposition of handgun ammunition by utilizing the program
46 developed pursuant to this subsection.

47 ¹Any transaction involving the sale, transfer, assignment, or
48 disposition of 2,000 or more rounds of handgun ammunition and

1 information relating to each transaction shall be immediately
2 reported to the superintendent in accordance with this section and
3 paragraph (3) of subsection b. of N.J.S.2C:58-2.¹

4 A retail dealer may charge a fee determined by the
5 superintendent for a transaction electronically reported pursuant to
6 this subsection.

7 ¹**[b.(1)** The superintendent shall develop a program for retail
8 dealers to electronically report a record of any transaction involving
9 the sale, transfer, assignment, or disposition of a firearm and
10 information relating to each transaction.

11 (2) Within a timeframe as determined by the superintendent,
12 every retail dealer of firearms shall electronically report to the
13 superintendent a record of any transaction involving the sale,
14 transfer, assignment, or disposition of a firearm by utilizing the
15 program developed pursuant to this subsection.

16 **c.] b.**¹ The superintendent shall establish a searchable,
17 electronic database containing the information reported pursuant
18 ¹**[subsections]** to subsection¹ a. ¹**[and b.]**¹ of this section, which
19 shall be available to law enforcement officers. ¹The Attorney
20 General shall have access to the information stored in the database
21 which shall be used for law enforcement purposes.¹ The
22 superintendent also shall establish security procedures to protect the
23 confidentiality of the information contained in the database, which
24 shall prevent access to the information by any person or entity that
25 is not lawfully entitled to it.

26 ¹**[d.] c.**¹ The superintendent shall develop an Internet-based or
27 other electronic system to process or facilitate the processing of any
28 or all of the following: application for and issuance of firearms
29 purchaser identification cards, permits to purchase a handgun, or
30 other permits authorized under this chapter.

31 ¹**[e.] d.**¹ Any record reported or produced pursuant to this
32 section shall not be considered a public record or government
33 record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.) or P.L.2001,
34 c.404 (C.47:1A-5 et al.).

35
36 6. This act shall take effect ¹**[immediately]** on the first day of
37 the seventh month next following the date of enactment, except the
38 Attorney General may take such anticipatory administrative action
39 in advance as shall be necessary for the implementation of this act¹.