

**SENATE, No. 3811**

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

INTRODUCED MAY 11, 2023

**Sponsored by:**  
**Senator JON M. BRAMNICK**  
**District 21 (Morris, Somerset and Union)**

**SYNOPSIS**

Establishes registry allowing persons to voluntarily include their names on list of individuals prohibited from owning firearm.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the sale of firearms, supplementing Title 2C of  
2 the New Jersey Statutes, and amending N.J.S.2C:58-3.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. (New section) a. The Superintendent of State Police shall  
8 establish an Internet-based “Do Not Sell” registry to prohibit the  
9 sale of firearms to persons residing in this State who have  
10 voluntarily requested to be included in the registry. The  
11 superintendent shall ensure that the registered person's information  
12 is included among the criteria prohibiting a person from purchasing  
13 a firearm pursuant to subsection c. of N.J.S.2C:58-3 when  
14 conducting a criminal history record background check. In addition,  
15 the superintendent shall ensure that the registry:

16 (1) verifies the identity of any person who chooses to register;

17 (2) prevents unauthorized disclosure of the personal information  
18 of any registered person; and

19 (3) informs registered persons of the implications of being  
20 included in the registry.

21 b. A person who registers pursuant to this section may  
22 subsequently request through the registry to have the person's  
23 information removed from the registry. The superintendent shall not  
24 remove the information until 21 days following the person's  
25 request. The superintendent shall subsequently destroy all records  
26 of the registration, associated transactions, and the request for  
27 removal of that individual's name from the registry.

28 c. The registry shall allow persons, at the time of registration  
29 or anytime thereafter, to submit email addresses of personal  
30 contacts and shall be programmed to notify via email those  
31 personal contacts that the registered person has been included in the  
32 registry and is prohibited from purchasing a firearm. The registry  
33 also shall notify the same personal contacts via email if the  
34 registered person subsequently requests to be removed from the  
35 registry.

36 d. Information regarding a person's inclusion in the registry  
37 established pursuant to this section shall not be deemed a public  
38 record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.), P.L.2001,  
39 c.404 (C.47:1A-5 et al.), or common law concerning access to  
40 public records.

41 e. The Attorney General shall prepare and disseminate  
42 educational information regarding the “Do Not Sell” registry to  
43 each psychiatric facility in the State which shall be made available  
44 to the public.

45 f. It shall be a crime of the third degree to:

**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 (1) transfer a firearm to a registered person with knowledge that  
2 the person receiving the firearm is included in the registry  
3 established pursuant to this section; and

4 (2) knowingly register another person's information in the  
5 registry without that person's consent.

6 g. As used in this section, "psychiatric facility" means a State  
7 psychiatric facility listed in R.S.30:1-7, a county psychiatric  
8 hospital or the psychiatric unit of a county hospital, a short-term  
9 care facility, special psychiatric hospital or psychiatric unit of a  
10 general hospital or other health care facility licensed by the  
11 Department of Health pursuant to P.L.1971, c.136 (C.26:2H-1 et  
12 seq.), or a hospital or community-based mental health center or  
13 other entity licensed or funded by the Department of Human  
14 Services to provide community-based mental health services.

15  
16 2. N.J.S.2C:58-3 is amended to read as follows:

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

18 (1) A person shall not sell, give, transfer, assign or otherwise  
19 dispose of, nor receive, purchase, or otherwise acquire a handgun  
20 unless the purchaser, assignee, donee, receiver or holder is licensed  
21 as a dealer under this chapter or has first secured a permit to  
22 purchase a handgun as provided by this section.

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

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

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

31 (b) between law enforcement officers;

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

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

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

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

46 (b) every retail dealer shall maintain a record of transactions  
47 conducted pursuant to this subsection, which shall be maintained at

1 the address displayed on the retail dealer's license for inspection by  
2 a law enforcement officer during reasonable hours;

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

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

8 b. Firearms purchaser identification card.

9 (1) A person shall not sell, give, transfer, assign or otherwise  
10 dispose of nor receive, purchase or otherwise acquire an antique  
11 cannon or a rifle or shotgun, other than an antique rifle or shotgun,  
12 unless the purchaser, assignee, donee, receiver or holder is licensed  
13 as a dealer under this chapter or possesses a valid firearms  
14 purchaser identification card, and first exhibits the card to the seller,  
15 donor, transferor or assignor, and unless the purchaser, assignee,  
16 donee, receiver or holder signs a written certification, on a form  
17 prescribed by the superintendent, which shall indicate that the  
18 person presently complies with the requirements of subsection c. of  
19 this section and shall contain the person's name, address and  
20 firearms purchaser identification card number or dealer's  
21 registration number. The certification shall be retained by the  
22 seller, as provided in paragraph (4) of subsection a. of N.J.S.2C:58-  
23 2, or, in the case of a person who is not a dealer, it may be filed  
24 with the chief police officer of the municipality in which the person  
25 resides or with the superintendent.

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

31 The provisions of this paragraph shall not apply if the transaction  
32 is:

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

35 (b) between law enforcement officers;

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

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

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

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

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

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

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

13 c. Who may obtain. Except as hereinafter provided, a person  
14 shall not be denied a permit to purchase a handgun or a firearms  
15 purchaser identification card, unless the person is known in the  
16 community in which the person lives as someone who has engaged  
17 in acts or made statements suggesting the person is likely to engage  
18 in conduct, other than justified self-defense, that would pose a  
19 danger to self or others, or is subject to any of the disabilities set  
20 forth in this section or other sections of this chapter. A handgun  
21 purchase permit or firearms purchaser identification card shall not  
22 be issued:

23 (1) To any person who has been convicted of: (a) any crime in  
24 this State or its felony counterpart in any other state or federal  
25 jurisdiction; or (b) a disorderly persons offense in this State  
26 involving an act of domestic violence as defined in section 3 of  
27 P.L.1991, c.261 (C.2C:25-19) or its felony or misdemeanor  
28 counterpart involving an act of domestic violence as defined under  
29 a comparable statute in any other state or federal jurisdiction,  
30 whether or not armed with or possessing a weapon at the time of the  
31 offense;

32 (2) To any person who is presently confined for a mental  
33 disorder as a voluntary admission as defined in section 2 of  
34 P.L.1987, c.116 (C.30:4-27.2) or who is presently involuntarily  
35 committed to inpatient or outpatient treatment pursuant to P.L.1987,  
36 c.116 (C.30:4-27.1 et seq.);

37 (3) To any person who suffers from a physical defect or disease  
38 which would make it unsafe for that person to handle firearms, to  
39 any person with a substance use disorder involving drugs as defined  
40 in section 2 of P.L.1970, c.226 (C.24:21-2), or to any alcoholic as  
41 defined in section 2 of P.L.1975, c.305 (C.26:2B-8) unless any of  
42 the foregoing persons produces a certificate of a medical doctor,  
43 treatment provider, or psychiatrist licensed in New Jersey, or other  
44 satisfactory proof, that the person is no longer suffering from that  
45 particular disability in a manner that would interfere with or  
46 handicap that person in the handling of firearms; to any person who  
47 knowingly falsifies any information on the application form for a  
48 handgun purchase permit or firearms purchaser identification card;

- 1       (4) To any person under the age of 18 years for a firearms  
2 purchaser identification card and to any person under the age of 21  
3 years for a permit to purchase a handgun;
- 4       (5) To any person where the issuance would not be in the interest  
5 of the public health, safety or welfare because the person is found to  
6 be lacking the essential character of temperament necessary to be  
7 entrusted with a firearm;
- 8       (6) To any person who is subject to or has violated a temporary  
9 or final restraining order issued pursuant to the "Prevention of  
10 Domestic Violence Act of 1991", P.L.1991, c.261 (C.2C:25-17 et  
11 seq.) prohibiting the person from possessing any firearm or a  
12 temporary or final domestic violence restraining order issued in  
13 another jurisdiction prohibiting the person from possessing any  
14 firearm;
- 15       (7) To any person who as a juvenile was adjudicated delinquent  
16 for an offense which, if committed by an adult, would constitute a  
17 crime and the offense involved the unlawful use or possession of a  
18 weapon, explosive or destructive device or is enumerated in  
19 subsection d. of section 2 of P.L.1997, c.117 (C.2C:43-7.2);
- 20       (8) To any person whose firearm is seized pursuant to the  
21 "Prevention of Domestic Violence Act of 1991", P.L.1991, c.261  
22 (C.2C:25-17 et seq.) and whose firearm has not been returned; **【or】**
- 23       (9) To any person named on the consolidated Terrorist Watchlist  
24 maintained by the Terrorist Screening Center administered by the  
25 Federal Bureau of Investigation;
- 26       (10) To any person who is subject to or has violated a court order  
27 prohibiting the custody, control, ownership, purchase, possession,  
28 or receipt of a firearm or ammunition issued pursuant to the  
29 "Extreme Risk Protective Order Act of 2018", P.L.2018, c.35  
30 (C.2C:58-20 et al.);
- 31       (11) To any person who is subject to or has violated a court order  
32 prohibiting the custody, control, ownership, purchase, possession,  
33 or receipt of a firearm or ammunition issued pursuant to P.L.2021,  
34 c.327 (C.2C:12-14 et al.);
- 35       (12) To any person who is subject to or has violated a temporary  
36 or final restraining order issued pursuant to the "Sexual Assault  
37 Survivor Protection Act of 2015," P.L.2015, c.147 (C.2C:14-13 et  
38 al.);
- 39       (13) To any person who has previously been voluntarily admitted  
40 to inpatient treatment pursuant to P.L.1987, c.116 (C.30:4-27.1 et  
41 seq.) or involuntarily committed to inpatient or outpatient treatment  
42 pursuant to P.L.1987, c.116 (C.30:4-27.1 et seq.), unless the court  
43 has expunged the person's record pursuant to P.L.1953, c.268  
44 (C.30:4-80.8 et seq.);
- 45       (14) To any person who is subject to an outstanding arrest  
46 warrant for an indictable crime in this State or for a felony, other  
47 than a felony to which section 1 of P.L.2022, c.50 (C.2A:160-14.1)  
48 would apply, in any other state or federal jurisdiction; **【or】**

1 (15) To any person who is a fugitive from justice due to having  
2 fled from any state or federal jurisdiction to avoid prosecution for a  
3 crime, other than a crime to which section 1 of P.L.2022, c.50  
4 (C.2A:160-14.1) would apply, or to avoid giving testimony in any  
5 criminal proceeding; or

6 (16) To any person named on the registry established pursuant to  
7 section 1 of P.L. , c. (C. ) (pending before the Legislature  
8 as this bill).

9 In order to obtain a permit to purchase a handgun or a firearms  
10 purchaser identification card, the applicant shall demonstrate that,  
11 within four years prior to the date of the application, the applicant  
12 satisfactorily completed a course of instruction approved by the  
13 superintendent in the lawful and safe handling and storage of  
14 firearms. The applicant shall be required to demonstrate  
15 completion of a course of instruction only once prior to obtaining  
16 either a firearms purchaser identification card or the applicant's first  
17 permit to purchase a handgun.

18 The applicant shall not be required to demonstrate completion of  
19 a course of instruction in order to obtain any subsequent permit to  
20 purchase a handgun, to replace an existing firearms purchaser  
21 identification card, or to renew a firearms purchaser identification  
22 card.

23 An applicant who is a law enforcement officer who has satisfied  
24 the requirements of subsection j. of N.J.S.2C:39-6, a retired law  
25 enforcement officer who has satisfied the requirements of  
26 subsection l. of N.J.S.2C:39-6, or a veteran who was honorably  
27 discharged as a member of the United States Armed Forces or  
28 National Guard who received substantially equivalent training shall  
29 not be required to complete the course of instruction required  
30 pursuant to the provisions of this subsection.

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

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

41 A firearms purchaser identification card issued following the  
42 effective date of P.L.2022, c.58 shall display a color photograph  
43 and be electronically linked to the fingerprints of the card holder. A  
44 person who obtained a firearms purchaser identification card prior  
45 to the effective date of P.L.2022, c.58 shall not be required to  
46 obtain a firearms purchaser identification card that displays a color  
47 photograph and is electronically linked to fingerprints. The  
48 superintendent shall establish guidelines as necessary to effectuate

1 the issuance of firearms purchaser identification cards that display a  
2 color photograph and which are electronically linked to the  
3 fingerprints of the card holder.

4 The requirements of this subsection concerning firearms  
5 purchaser identification cards issued following the effective date of  
6 P.L.2022, c.58 shall remain inoperative until such time as the  
7 superintendent establishes a system to produce cards that comply  
8 with this requirement and, until such time, applicants issued a  
9 firearms purchaser identification card shall be provided with cards  
10 that do not conform to the requirements of this section, which shall  
11 be afforded full force and effect until such time as the system is  
12 established and a compliant card is issued in accordance with this  
13 subsection. An applicant issued a non-compliant firearms purchaser  
14 identification card shall obtain a card, at no cost to the applicant,  
15 which conforms to the requirements of this section no later than one  
16 year after receiving notice that the system to produce cards that  
17 comply with this requirement is operational.

18 If an application for a permit or identification card is denied, the  
19 applicant shall be provided with a written statement of the reasons  
20 for the denial. Any person aggrieved by the denial of a permit or  
21 identification card may request a hearing in the Superior Court of  
22 the county in which the person resides if the person is a resident of  
23 New Jersey or in the Superior Court of the county in which the  
24 person's application was filed if the person is a nonresident. The  
25 request for a hearing shall be made in writing within 30 days of the  
26 denial of the application for a permit or identification card. The  
27 applicant shall serve a copy of the request for a hearing upon the  
28 chief police officer of the municipality in which the person resides,  
29 if the person is a resident of New Jersey, and upon the  
30 superintendent in all cases. The hearing shall be held and a record  
31 made thereof within 60 days of the receipt of the application for a  
32 hearing by the judge of the Superior Court. No formal pleading and  
33 no filing fee shall be required as a preliminary to a hearing.  
34 Appeals from the results of a hearing shall be in accordance with  
35 law.

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

40 e. Applications. Applications for permits to purchase a  
41 handgun and for firearms purchaser identification cards shall be in  
42 the form prescribed by the superintendent and shall set forth the  
43 name, residence, place of business, age, date of birth, occupation,  
44 sex, any aliases or other names previously used by the applicant,  
45 gender, and physical description, including distinguishing physical  
46 characteristics, if any, of the applicant, and shall state whether the  
47 applicant is a citizen, whether the applicant is an alcoholic as  
48 defined in section 2 of P.L.1975, c. 305 (C. 26:2B-8) or is a drug-



1 dependent person as defined in section 2 of P.L.1970, c.226  
2 (C.24:21-2), whether the applicant has ever been confined or  
3 committed to a mental institution or hospital for treatment or  
4 observation of a mental or psychiatric condition on a temporary,  
5 interim or permanent basis, giving the name and location of the  
6 institution or hospital and the dates of confinement or commitment,  
7 whether the applicant has been attended, treated or observed by any  
8 doctor or psychiatrist or at any hospital or mental institution on an  
9 inpatient or outpatient basis for any mental or psychiatric condition,  
10 giving the name and location of the doctor, psychiatrist, hospital or  
11 institution and the dates of the occurrence, whether the applicant  
12 presently or ever has been a member of any organization which  
13 advocates or approves the commission of acts of force and violence  
14 to overthrow the Government of the United States or of this State,  
15 or which seeks to deny others their rights under the Constitution of  
16 either the United States or the State of New Jersey, whether the  
17 applicant has ever been convicted of a crime or disorderly persons  
18 offense in this State or felony or misdemeanor in any other state or  
19 federal jurisdiction, whether the applicant is subject to a restraining  
20 order issued pursuant to the "Prevention of Domestic Violence Act  
21 of 1991", P.L.1991, c.261 (C.2C:25-17 et seq.) or an order entered  
22 under the provisions of a substantially similar statute under the laws  
23 of another jurisdiction prohibiting the applicant from possessing  
24 any firearm, whether the applicant is subject to a restraining order  
25 issued pursuant to the "Sexual Assault Survivor Protection Act of  
26 2015," P.L.2015, c.147 (C.2C:14-13 et al.) or an order entered  
27 under the provisions of a substantially similar statute under the laws  
28 of another jurisdiction, whether the applicant is subject to a  
29 protective order issued pursuant to the "Extreme Risk Protective  
30 Order Act of 2018", P.L.2018, c.35 (C.2C:58-20 et al.), whether the  
31 applicant is subject to a protective order issued pursuant to  
32 P.L.2021, c.327 (C.2C:12-14 et al.) prohibiting the applicant from  
33 possessing any firearm, and other information as the superintendent  
34 shall deem necessary for the proper enforcement of this chapter.  
35 For the purpose of complying with this subsection, the applicant  
36 shall waive any statutory or other right of confidentiality relating to  
37 institutional confinement. The application shall be signed by the  
38 applicant and shall contain as references the names and addresses of  
39 two reputable citizens personally acquainted with the applicant.

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

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 the applicant was previously fingerprinted, and  
12 who provides other reasonably satisfactory proof of the applicant's  
13 identity, need not be fingerprinted again; however, the chief police  
14 officer or the superintendent shall proceed to investigate the  
15 application to determine whether or not the applicant has become  
16 subject to any of 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 \$25, or the application for the firearms  
20 purchaser identification card together with a fee of \$50, shall be  
21 delivered or forwarded to the licensing authority who, upon  
22 determining that the application is complete, shall investigate the  
23 same and, provided the requirements of this section are met, shall  
24 grant the permit or the identification card, or both, if application has  
25 been made therefor, within 30 days from the date of receipt of the  
26 completed application for residents of this State and within 45 days  
27 for nonresident applicants. A permit to purchase a handgun shall be  
28 valid for a period of 90 days from the date of issuance and may be  
29 renewed by the issuing authority for good cause for an additional 90  
30 days. A firearms purchaser identification card issued or renewed  
31 after the effective date of P.L.2022, c.58 shall expire during the  
32 tenth calendar year following its date of issuance and on the same  
33 calendar day as the person's date of birth.

34 If the date of birth of the firearms purchaser identification card  
35 holder does not correspond to a calendar day of the tenth calendar  
36 year, the card shall expire on the last day of the birth month of the  
37 card holder.

38 A firearms purchaser identification card issued pursuant to this  
39 section may be renewed upon filing of a renewal application and  
40 payment of the required fee, provided that the holder is not subject  
41 to any of the disabilities set forth in subsection c. of this section and  
42 complies with all other applicable requirements as set forth in  
43 statute and regulation. If an application for renewal of a firearms  
44 purchaser identification card is denied, the applicant shall be  
45 provided with a written statement of the reasons for the denial. Any  
46 person aggrieved by the denial of an application for renewal of a  
47 firearms purchaser identification card may request a hearing in the  
48 Superior Court of the county in which the person resides if the

1 person is a resident of New Jersey or in the Superior Court of the  
2 county in which the person's application was filed if the person is a  
3 nonresident. The request for a hearing shall be made in writing  
4 within 30 days of the denial of the application for renewal of the  
5 firearms purchaser identification card. The applicant shall serve a  
6 copy of the request for a hearing upon the chief police officer of the  
7 municipality in which the applicant resides, if the person is a  
8 resident of New Jersey, and upon the superintendent in all cases.  
9 The hearing shall be held and a record made thereof within 60 days  
10 of the receipt of the application for a hearing by the judge of the  
11 Superior Court. A formal pleading and filing fee shall not be  
12 required as a preliminary to a hearing. Appeals from the results of a  
13 hearing shall be in accordance with law.

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

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

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

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

38 g. Disposition of fees. All fees for permits shall be paid to the  
39 State Treasury for deposit into the Victims of Crime Compensation  
40 Office account if the permit is issued by the superintendent, to the  
41 municipality if issued by the chief police officer, and to the county  
42 treasurer if issued by the judge of the Superior Court.

43 h. Form of permit; establishment of a web portal; disposition of  
44 the completed information. (1) Except as otherwise provided in  
45 paragraph (2) of this subsection, the permit shall be in the form  
46 prescribed by the superintendent and shall be issued to the applicant  
47 electronically through e-mail or the web portal established or  
48 designated for this purpose by the superintendent or in such form or

1 manner as may be authorized by the superintendent. Prior to the  
2 time the applicant receives the handgun from the seller, the  
3 applicant shall provide to the seller an acknowledgement of the  
4 permit in the form required under the process established by the  
5 superintendent, and the seller shall complete all of the information  
6 required on the web portal. This information shall be forwarded to  
7 the superintendent through the web portal, or in such other manner  
8 as may be authorized by the superintendent, and to the chief police  
9 officer of the municipality in which the purchaser resides, except  
10 that in a municipality having no chief police officer, the information  
11 shall be forwarded to the superintendent. The purchaser shall retain  
12 a copy of the completed information and the seller shall retain a  
13 copy of the completed information as a permanent record.

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

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

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

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

33 (2) a collector of handguns as curios or relics as defined in Title  
34 18, United States Code, section 921 (a) (13) who has in the  
35 collector's possession a valid Collector of Curios and Relics License  
36 issued by the federal Bureau of Alcohol, Tobacco, Firearms and  
37 Explosives;

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

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

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

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

4 The provisions of this subsection shall not be construed to afford  
5 or authorize any other exemption from the regulatory provisions  
6 governing firearms set forth in chapter 39 and chapter 58 of Title  
7 2C of the New Jersey Statutes;

8 A person shall not be restricted as to the number of rifles or  
9 shotguns the person may purchase, provided the person possesses a  
10 valid firearms purchaser identification card and provided further  
11 that the person signs the certification required in subsection b. of  
12 this section for each transaction.

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

29 k. Sawed-off shotguns. Nothing in this section shall be  
30 construed to authorize the purchase or possession of any sawed-off  
31 shotgun.

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

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

46 n. For the purposes of this section, "immediate family" means a  
47 spouse, domestic partner as defined in section 3 of P.L.2003, c.246  
48 (C.26:8A-3), partner in a civil union couple as defined in section 2

1 of P.L.2006, c.103 (C.37:1-29), parent, stepparent, grandparent,  
2 sibling, stepsibling, child, stepchild, and grandchild, as related by  
3 blood or by law.

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

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

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

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

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

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

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

1 p. A chief police officer or the superintendent may delegate to  
2 subordinate officers or employees of the law enforcement agency  
3 the responsibilities established pursuant to this section.  
4 (cf: P.L.2022, c.131, s.2)  
5

6 3. This act shall take effect on the first day of the seventh  
7 month next following the date of enactment, but the Superintendent  
8 of State Police may take anticipatory administrative action in  
9 advance thereof as shall be necessary for the implementation of this  
10 act.  
11  
12

### 13 STATEMENT 14

15 This bill requires the Superintendent of State Police to establish  
16 an Internet-based “Do Not Sell” registry to prohibit the sale of  
17 firearms to any person residing in this State who has voluntarily  
18 requested to be included in the registry. Under the bill, a person  
19 would be permitted to voluntarily enter his or her name on the  
20 registry and be prohibited from purchasing a firearm. The person’s  
21 information would be included among the criteria prohibiting a  
22 person from purchasing a firearm when a criminal history record  
23 background check is conducted.

24 The bill requires the superintendent to ensure that the Internet-  
25 based registry verifies the identity of a registered person, prevents  
26 unauthorized disclosures of personal information, and informs  
27 registered persons of the implications of being included in the  
28 registry.

29 Under the bill, a person would be permitted to submit email  
30 addresses of personal contacts. The bill requires the registry to be  
31 programmed to notify and advise via email the personal contacts  
32 that the registered person has included in the registry. The registry  
33 also would notify the same personal contacts via email if the  
34 registered person subsequently requests to be removed from the  
35 registry.

36 The bill allows a person who voluntarily registers to  
37 subsequently request through the Internet-based registry to have his  
38 or her information removed from the registry. The superintendent  
39 would be prohibited from removing the information until 21 days  
40 after the person’s request. Following the request, the  
41 superintendent would be required to destroy all records of the  
42 registration, associated transactions, and the request for removal of  
43 that individual's name from the registry. Information regarding a  
44 person’s registration would not be deemed a public record pursuant  
45 to the open public records act.

46 The bill requires the Attorney General to prepare and  
47 disseminate educational information regarding the “Do Not Sell”

1 registry to each psychiatric facility in the State which would be  
2 made available to the public.

3 Under the bill, it would be a crime of the third degree to transfer  
4 a firearm to a registered person with knowledge that the person  
5 receiving the firearm is included in the registry. In addition, it  
6 would be a crime of the third degree to knowingly register another  
7 person's information in the registry without that person's consent.  
8 A crime of the third degree is punishable by fine of up to \$15,000, a  
9 term of imprisonment between three and five years, or both.