

ASSEMBLY, No. 254

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman MICHAEL INGANAMORT

District 24 (Morris, Sussex and Warren)

Assemblywoman DAWN FANTASIA

District 24 (Morris, Sussex and Warren)

SYNOPSIS

Decriminalizes manufacture and certain possession of slingshots.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning slingshots and amending various sections of
2 Title 2C of the New Jersey Statutes.

3

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

6

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

8 2C:39-1. a. "Antique firearm" means any rifle or shotgun and
9 "antique cannon" means a destructive device defined in paragraph
10 (3) of subsection c. of this section, if the rifle, shotgun or
11 destructive device, or replica thereof, as the case may be, is
12 incapable of being fired or discharged, or which does not fire fixed
13 ammunition, regardless of date of manufacture, or was
14 manufactured before 1898 for which cartridge ammunition is not
15 commercially available, and is possessed as a curiosity or ornament
16 or for its historical significance or value.

17 b. "Deface" means to remove, deface, cover, alter or destroy
18 the name of the maker, model designation, manufacturer's serial
19 number or any other distinguishing identification mark or number
20 on any firearm.

21 c. "Destructive device" means any device, instrument or object
22 designed to explode or produce uncontrolled combustion, including:

23 (1) any explosive or incendiary bomb, mine or grenade;

24 (2) any rocket having a propellant charge of more than four
25 ounces or any missile having an explosive or incendiary charge of
26 more than one-quarter of an ounce;

27 (3) any weapon capable of firing a projectile of a caliber greater
28 than 60 caliber, except a shotgun or shotgun ammunition generally
29 recognized as suitable for sporting purposes;

30 (4) any Molotov cocktail or other device consisting of a
31 breakable container containing flammable liquid and having a wick
32 or similar device capable of being ignited. The term shall not
33 include any device manufactured for the purpose of illumination,
34 distress signaling, line-throwing, safety or similar purposes; or

35 (5) any center-fire rifle that is capable of firing a .50 BMG
36 cartridge as defined in subsection mm. of this section.

37 The provisions of this paragraph shall not apply to any antique
38 firearm as defined in subsection a. of this section or any "curio or
39 relic" as defined in 27 CFR 478.11.

40 The provisions of this paragraph also shall not apply to a weapon
41 solely used to fire blank ammunition for the purpose of a living
42 historical reenactment as defined in subsection nn. of this section.

43 d. "Dispose of" means to give, give away, lease, loan, keep for
44 sale, offer, offer for sale, sell, transfer, or otherwise transfer
45 possession.

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 e. "Explosive" means any chemical compound or mixture that
2 is commonly used or is possessed for the purpose of producing an
3 explosion and which contains any oxidizing and combustible
4 materials or other ingredients in such proportions, quantities or
5 packing that an ignition by fire, by friction, by concussion or by
6 detonation of any part of the compound or mixture may cause such
7 a sudden generation of highly heated gases that the resultant
8 gaseous pressures are capable of producing destructive effects on
9 contiguous objects. The term shall not include small arms
10 ammunition, or explosives in the form prescribed by the official
11 United States Pharmacopoeia.

12 f. "Firearm" means any handgun, rifle, shotgun, machine gun,
13 automatic or semi-automatic rifle, or any gun, device or instrument
14 in the nature of a weapon from which may be fired or ejected any
15 solid projectable ball, slug, pellet, missile or bullet, or any gas,
16 vapor or other noxious thing, by means of a cartridge or shell or by
17 the action of an explosive or the igniting of flammable or explosive
18 substances. It shall also include, without limitation, any firearm
19 which is in the nature of an air gun, spring gun or pistol or other
20 weapon of a similar nature in which the propelling force is a spring,
21 elastic band, carbon dioxide, compressed or other gas or vapor, air
22 or compressed air, or is ignited by compressed air, and ejecting a
23 bullet or missile smaller than three-eighths of an inch in diameter,
24 with sufficient force to injure a person.

25 g. "Firearm silencer" means any instrument, attachment,
26 weapon or appliance for causing the firing of any gun, revolver,
27 pistol or other firearm to be silent, or intended to lessen or muffle
28 the noise of the firing of any gun, revolver, pistol or other firearm.

29 h. "Gravity knife" means any knife which has a blade which is
30 released from the handle or sheath thereof by the force of gravity or
31 the application of centrifugal force.

32 i. "Machine gun" means any firearm, mechanism or instrument
33 not requiring that the trigger be pressed for each shot and having a
34 reservoir, belt or other means of storing and carrying ammunition
35 which can be loaded into the firearm, mechanism or instrument and
36 fired therefrom. A machine gun also shall include, without
37 limitation, any firearm with a trigger crank attached.

38 j. "Manufacturer" means any person who receives or obtains
39 raw materials or parts and processes them into firearms or finished
40 parts of firearms, except a person who exclusively processes grips,
41 stocks and other nonmetal parts of firearms. The term does not
42 include a person who repairs existing firearms or receives new and
43 used raw materials or parts solely for the repair of existing firearms.

44 k. "Handgun" means any pistol, revolver or other firearm
45 originally designed or manufactured to be fired by the use of a
46 single hand.

47 l. "Retail dealer" means any person including a gunsmith,
48 except a manufacturer or a wholesale dealer, who sells, transfers or

1 assigns for a fee or profit any firearm or parts of firearms or
2 ammunition which he has purchased or obtained with the intention,
3 or for the purpose, of reselling or reassigning to persons who are
4 reasonably understood to be the ultimate consumers, and includes
5 any person who is engaged in the business of repairing firearms or
6 who sells any firearm to satisfy a debt secured by the pledge of a
7 firearm.

8 m. "Rifle" means any firearm designed to be fired from the
9 shoulder and using the energy of the explosive in a fixed metallic
10 cartridge to fire a single projectile through a rifled bore for each
11 single pull of the trigger.

12 n. "Shotgun" means any firearm designed to be fired from the
13 shoulder and using the energy of the explosive in a fixed shotgun
14 shell to fire through a smooth bore either a number of ball shots or a
15 single projectile for each pull of the trigger, or any firearm designed
16 to be fired from the shoulder which does not fire fixed ammunition.

17 o. "Sawed-off shotgun" means any shotgun having a barrel or
18 barrels of less than 18 inches in length measured from the breech to
19 the muzzle, or a rifle having a barrel or barrels of less than 16
20 inches in length measured from the breech to the muzzle, or any
21 firearm made from a rifle or a shotgun, whether by alteration, or
22 otherwise, if such firearm as modified has an overall length of less
23 than 26 inches.

24 p. "Switchblade knife" means any knife or similar device
25 which has a blade which opens automatically by hand pressure
26 applied to a button, spring or other device in the handle of the knife.

27 q. "Superintendent" means the Superintendent of the State
28 Police.

29 r. "Weapon" means anything readily capable of lethal use or of
30 inflicting serious bodily injury. The term includes, but is not
31 limited to, all (1) firearms, even though not loaded or lacking a clip
32 or other component to render them immediately operable; (2)
33 components which can be readily assembled into a weapon; (3)
34 gravity knives, switchblade knives, daggers, dirks, stilettos, or other
35 dangerous knives, billies, blackjacks, bludgeons, metal knuckles,
36 sandclubs, [slingshots,] cesti or similar leather bands studded with
37 metal filings or razor blades imbedded in wood; and (4) stun guns;
38 and any weapon or other device which projects, releases, or emits
39 tear gas or any other substance intended to produce temporary
40 physical discomfort or permanent injury through being vaporized or
41 otherwise dispensed in the air.

42 s. "Wholesale dealer" means any person, except a
43 manufacturer, who sells, transfers, or assigns firearms, or parts of
44 firearms, to persons who are reasonably understood not to be the
45 ultimate consumers, and includes persons who receive finished
46 parts of firearms and assemble them into completed or partially
47 completed firearms, in furtherance of such purpose, except that it

- 1 shall not include those persons dealing exclusively in grips, stocks
2 and other nonmetal parts of firearms.
- 3 t. "Stun gun" means any weapon or other device which emits
4 an electrical charge or current intended to temporarily or
5 permanently disable a person.
- 6 u. "Ballistic knife" means any weapon or other device capable
7 of lethal use and which can propel a knife blade.
- 8 v. "Imitation firearm" means an object or device reasonably
9 capable of being mistaken for a firearm.
- 10 w. "Assault firearm" means:
- 11 (1) The following firearms:
- 12 Algimec AGM1 type
- 13 Any shotgun with a revolving cylinder such as the "Street
14 Sweeper" or "Striker 12"
- 15 Armalite AR-180 type
- 16 Australian Automatic Arms SAR
- 17 Avtomat Kalashnikov type semi-automatic firearms
- 18 Beretta AR-70 and BM59 semi-automatic firearms
- 19 Bushmaster Assault Rifle
- 20 Calico M-900 Assault carbine and M-900
- 21 CETME G3
- 22 Chartered Industries of Singapore SR-88 type
- 23 Colt AR-15 and CAR-15 series
- 24 Daewoo K-1, K-2, Max 1 and Max 2, AR 100 types
- 25 Demro TAC-1 carbine type
- 26 Encom MP-9 and MP-45 carbine types
- 27 FAMAS MAS223 types
- 28 FN-FAL, FN-LAR, or FN-FNC type semi-automatic firearms
- 29 Franchi SPAS 12 and LAW 12 shotguns
- 30 G3SA type
- 31 Galil type Heckler and Koch HK91, HK93, HK94, MP5, PSG-1
- 32 Intratec TEC 9 and 22 semi-automatic firearms
- 33 M1 carbine type
- 34 M14S type
- 35 MAC 10, MAC 11, MAC 11-9mm carbine type firearms
- 36 PJK M-68 carbine type
- 37 Plainfield Machine Company Carbine
- 38 Ruger K-Mini-14/5F and Mini-14/5RF
- 39 SIG AMT, SIG 550SP, SIG 551SP, SIG PE-57 types
- 40 SKS with detachable magazine type
- 41 Spectre Auto carbine type
- 42 Springfield Armory BM59 and SAR-48 type
- 43 Sterling MK-6, MK-7 and SAR types
- 44 Steyr A.U.G. semi-automatic firearms
- 45 USAS 12 semi-automatic type shotgun
- 46 Uzi type semi-automatic firearms
- 47 Valmet M62, M71S, M76, or M78 type semi-automatic firearms
- 48 Weaver Arm Nighthawk.

1 (2) Any firearm manufactured under any designation which is
2 substantially identical to any of the firearms listed above.

3 (3) A semi-automatic shotgun with either a magazine capacity
4 exceeding six rounds, a pistol grip, or a folding stock.

5 (4) A semi-automatic rifle with a fixed magazine capacity
6 exceeding 10 rounds. "Assault firearm" shall not include a semi-
7 automatic rifle which has an attached tubular device and which is
8 capable of operating only with .22 caliber rimfire ammunition.

9 (5) A part or combination of parts designed or intended to
10 convert a firearm into an assault firearm, or any combination of
11 parts from which an assault firearm may be readily assembled if
12 those parts are in the possession or under the control of the same
13 person.

14 (6) A firearm with a bump stock attached.

15 x. "Semi-automatic" means a firearm which fires a single
16 projectile for each single pull of the trigger and is self-reloading or
17 automatically chambers a round, cartridge, or bullet.

18 y. "Large capacity ammunition magazine" means a box, drum,
19 tube or other container which is capable of holding more than 10
20 rounds of ammunition to be fed continuously and directly therefrom
21 into a semi-automatic firearm. The term shall not include an
22 attached tubular device which is capable of holding only .22 caliber
23 rimfire ammunition.

24 z. "Pistol grip" means a well-defined handle, similar to that
25 found on a handgun, that protrudes conspicuously beneath the
26 action of the weapon, and which permits the shotgun to be held and
27 fired with one hand.

28 aa. "Antique handgun" means a handgun manufactured before
29 1898, or a replica thereof, which is recognized as being historical in
30 nature or of historical significance and either (1) utilizes a match,
31 friction, flint, or percussion ignition, or which utilizes a pin-fire
32 cartridge in which the pin is part of the cartridge or (2) does not fire
33 fixed ammunition or for which cartridge ammunition is not
34 commercially available.

35 bb. "Trigger lock" means a commercially available device
36 approved by the Superintendent of State Police which is operated
37 with a key or combination lock that prevents a firearm from being
38 discharged while the device is attached to the firearm. It may
39 include, but need not be limited to, devices that obstruct the barrel
40 or cylinder of the firearm, as well as devices that immobilize the
41 trigger.

42 cc. "Trigger locking device" means a device that, if installed on
43 a firearm and secured by means of a key or mechanically,
44 electronically or electromechanically operated combination lock,
45 prevents the firearm from being discharged without first
46 deactivating or removing the device by means of a key or
47 mechanically, electronically or electromechanically operated
48 combination lock.

1 dd. "Personalized handgun" means a handgun which
2 incorporates within its design a permanent programmable feature as
3 part of its manufacture that cannot be deactivated and renders the
4 personalized handgun reasonably resistant to being fired except
5 when activated by the lawful owner or other authorized user. No
6 make or model of a handgun shall be deemed to be a "personalized
7 handgun" unless the Personalized Handgun Authorization
8 Commission established pursuant to section 1 of P.L.2019, c.164
9 (C.2C:58-2.7) has determined, in accordance with section 2 of
10 P.L.2019, c.164 (C.2C:58-2.8), that the personalized handgun meets
11 the performance standards and qualifying criteria established
12 pursuant to section 2 of P.L.2019, c.164 (C.2C:58-2.8).

13 ee. "Bump stock" means any device or instrument for a firearm
14 that increases the rate of fire achievable with the firearm by using
15 energy from the recoil of the firearm to generate a reciprocating
16 action that facilitates repeated activation of the trigger.

17 ff. "Trigger crank" means any device or instrument to be
18 attached to a firearm that repeatedly activates the trigger of the
19 firearm through the use of a lever or other part that is turned in a
20 circular motion; provided, however, the term shall not include any
21 weapon initially designed and manufactured to fire through the use
22 of a crank or lever.

23 gg. "Armor piercing ammunition" means: (1) a projectile or
24 projectile core which may be used in a handgun and is constructed
25 entirely, excluding the presence of traces of other substances, from
26 one or a combination of tungsten alloys, steel, iron, brass, bronze,
27 beryllium copper, or depleted uranium; or (2) a full jacketed
28 projectile larger than .22 caliber designed and intended for use in a
29 handgun and whose jacket has a weight of more than 25 percent of
30 the total weight of the projectile. "Armor piercing ammunition"
31 shall not include shotgun shot required by federal or State
32 environmental or game regulations for hunting purposes, a frangible
33 projectile designed for target shooting, a projectile which the United
34 States Attorney General finds is primarily intended to be used for
35 sporting purposes, or any other projectile or projectile core which
36 the United States Attorney General finds is intended to be used for
37 industrial purposes, including a charge used in an oil gas well
38 perforating device.

39 hh. "Covert firearm" means any firearm that is constructed in a
40 shape or configuration such that it does not resemble a handgun,
41 rifle, shotgun, or machine gun including, but not limited to, a
42 firearm that resembles a key-chain, pen, cigarette lighter, cigarette
43 package, cellphone, smart phone, wallet, or cane.

44 ii. "Undetectable firearm" means a firearm that: (1) after
45 removal of all parts other than major components, is not as
46 detectable as the Security Exemplar, by walk-through metal
47 detectors calibrated and operated to detect the Security Exemplar;
48 or (2) includes a major component which, if the firearm were

1 subjected to inspection by the types of detection devices commonly
2 used at airports for security screening, would not generate an image
3 that accurately depicts the shape of the component. "Undetectable
4 firearm" shall not be construed to include a firearm subject to the
5 provisions of paragraphs (3) through (6) of subsection (p) of 18
6 U.S.C. s.922.

7 jj. "Major component" means the slide or cylinder or the frame
8 or receiver of a firearm and, in the case of a rifle or shotgun, also
9 includes the barrel.

10 kk. "Security Exemplar" means the Security Exemplar fabricated
11 in accordance with subparagraph (C) of paragraph (2) of subsection
12 (p) of 18 U.S.C. s.922.

13 ll. "Authorized user" means the lawful owner of a personalized
14 handgun or a person to whom the owner has given consent to use
15 the personalized handgun.

16 mm. ".50 BMG cartridge" means a cartridge that is designed and
17 intended to be fired from a center-fire rifle and that meets all of the
18 following criteria:

19 (1) it has an overall length of 5.54 inches from the base to the tip
20 of the bullet;

21 (2) the bullet diameter for the cartridge is from .510 inches to
22 and including .511 inch;

23 (3) the case base diameter for the cartridge is from .800 inches to
24 and including .804 inch; and

25 (4) the cartridge case length is 3.91 inches.

26 nn. "Living historical reenactment" means a depiction of
27 historical characters, scenes, historical life, or events for
28 entertainment, education, or historical documentation through the
29 wearing or use of period, historical, antique or vintage clothing,
30 accessories, firearms, weapons, and other implements of the
31 historical period.

32 (cf: P.L.2022, c.54, s.1)

33

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

35 2C:39-3. Prohibited Weapons and Devices.

36 a. Destructive devices. Any person who knowingly has in his
37 possession any destructive device is guilty of a crime of the third
38 degree.

39 b. Sawed-off shotguns. Any person who knowingly has in his
40 possession any sawed-off shotgun is guilty of a crime of the third
41 degree.

42 c. Silencers. Any person who knowingly has in his possession
43 any firearm silencer is guilty of a crime of the fourth degree.

44 d. Defaced firearms. Any person who knowingly has in his
45 possession any firearm which has been defaced, except an antique
46 firearm or an antique handgun, is guilty of a crime of the fourth
47 degree.

1 e. Certain weapons. Any person who knowingly has in his
2 possession any gravity knife, switchblade knife, dagger, dirk,
3 stiletto, billy, blackjack, metal knuckle, sandclub, **[slingshot,]**
4 cestus or similar leather band studded with metal filings or razor
5 blades imbedded in wood, ballistic knife, without any explainable
6 lawful purpose, is guilty of a crime of the fourth degree.

7 f. Dum-dum or armor piercing ammunition. (1) Any person,
8 other than a law enforcement officer or persons engaged in
9 activities pursuant to subsection f. of N.J.S.2C:39-6, who
10 knowingly has in his possession any hollow nose or dum-dum
11 bullet, or (2) any person, other than a collector of firearms or
12 ammunition as curios or relics as defined in Title 18, United States
13 Code, section 921 (a) (13) and has in his possession a valid
14 Collector of Curios and Relics License issued by the Bureau of
15 Alcohol, Tobacco, Firearms, and Explosives, who knowingly has in
16 his possession any armor piercing ammunition, as defined in
17 subsection gg. of N.J.S.2C:39-1, is guilty of a crime of the fourth
18 degree. For purposes of this section, a collector may possess not
19 more than three examples of each distinctive variation of the
20 ammunition described above. A distinctive variation includes a
21 different head stamp, composition, design, or color.

22 g. Exceptions. (1) (a) Nothing in subsection a., b., c., d., e., f.,
23 j. or k. of this section shall apply to any member of the Armed
24 Forces of the United States or the National Guard, or except as
25 otherwise provided, to any law enforcement officer while actually
26 on duty or traveling to or from an authorized place of duty,
27 provided that his possession of the prohibited weapon or device has
28 been duly authorized under the applicable laws, regulations or
29 military or law enforcement orders.

30 (b) Nothing in subsection j. of this section shall apply to a law
31 enforcement officer who possesses and carries while off-duty a
32 large capacity ammunition magazine capable of holding not more
33 than 17 rounds of ammunition that can be fed continuously and
34 directly into a semi-automatic firearm.

35 (c) Notwithstanding subparagraph (b) of this paragraph,
36 subsection j. of this section shall not apply to a law enforcement
37 officer who possesses and carries while off-duty a large capacity
38 ammunition magazine capable of holding more than 17 rounds of
39 ammunition that can be fed continuously and directly into a semi-
40 automatic firearm provided the large capacity ammunition magazine
41 is used with a service firearm issued to the officer by the officer's
42 employer for use in the officer's official duties.

43 (d) Nothing in subsection h. of this section shall apply to any
44 law enforcement officer who is exempted from the provisions of
45 that subsection by the Attorney General. Nothing in this section
46 shall apply to the possession of any weapon or device by a law
47 enforcement officer who has confiscated, seized or otherwise taken
48 possession of said weapon or device as evidence of the commission

1 of a crime or because he believed it to be possessed illegally by the
2 person from whom it was taken, provided that said law enforcement
3 officer promptly notifies his superiors of his possession of such
4 prohibited weapon or device.

5 (2) (a) Nothing in paragraph (1) of subsection f. of this section
6 shall be construed to prevent a person from keeping such
7 ammunition at his dwelling, premises or other land owned or
8 possessed by him, or from carrying such ammunition from the place
9 of purchase to said dwelling or land, nor shall paragraph (1) of
10 subsection f. of this section be construed to prevent any licensed
11 retail or wholesale firearms dealer from possessing such
12 ammunition at its licensed premises, provided that the seller of any
13 such ammunition shall maintain a record of the name, age and place
14 of residence of any purchaser who is not a licensed dealer, together
15 with the date of sale and quantity of ammunition sold.

16 (b) Nothing in paragraph (1) of subsection f. of this section shall
17 be construed to prevent a designated employee or designated
18 licensed agent for a nuclear power plant under the license of the
19 Nuclear Regulatory Commission from possessing hollow nose
20 ammunition while in the actual performance of his official duties, if
21 the federal licensee certifies that the designated employee or
22 designated licensed agent is assigned to perform site protection,
23 guard, armed response or armed escort duties and is appropriately
24 trained and qualified, as prescribed by federal regulation, to
25 perform those duties.

26 (3) Nothing in paragraph (2) of subsection f. or in subsection j.
27 of this section shall be construed to prevent any licensed retail or
28 wholesale firearms dealer from possessing that ammunition or large
29 capacity ammunition magazine at its licensed premises for sale or
30 disposition to another licensed dealer, the Armed Forces of the
31 United States or the National Guard, or to a law enforcement
32 agency, provided that the seller maintains a record of any sale or
33 disposition to a law enforcement agency. The record shall include
34 the name of the purchasing agency, together with written
35 authorization of the chief of police or highest ranking official of the
36 agency, the name and rank of the purchasing law enforcement
37 officer, if applicable, and the date, time and amount of ammunition
38 sold or otherwise disposed. A copy of this record shall be forwarded
39 by the seller to the Superintendent of the Division of State Police
40 within 48 hours of the sale or disposition.

41 (4) Nothing in subsection a. of this section shall be construed to
42 apply to antique cannons as exempted in subsection d. of
43 N.J.S.2C:39-6.

44 (5) Nothing in subsection c. of this section shall be construed to
45 apply to any person who is specifically identified in a special deer
46 management permit issued by the Division of Fish and Wildlife to
47 utilize a firearm silencer as part of an alternative deer control
48 method implemented in accordance with a special deer management

1 permit issued pursuant to section 4 of P.L.2000, c.46 (C.23:4-42.6),
2 while the person is in the actual performance of the permitted
3 alternative deer control method and while going to and from the
4 place where the permitted alternative deer control method is being
5 utilized. This exception shall not, however, otherwise apply to any
6 person to authorize the purchase or possession of a firearm silencer.

7 h. Stun guns. Any person who knowingly has in his possession
8 any stun gun is guilty of a crime of the fourth degree.

9 i. Nothing in subsection e. of this section shall be construed to
10 prevent any guard in the employ of a private security company, who
11 is licensed to carry a firearm, from the possession of a nightstick
12 when in the actual performance of his official duties, provided that
13 he has satisfactorily completed a training course approved by the
14 Police Training Commission in the use of a nightstick.

15 j. Any person who knowingly has in his possession a large
16 capacity ammunition magazine is guilty of a crime of the fourth
17 degree unless the person has registered:

18 (1) an assault firearm pursuant to section 11 of P.L.1990, c.32
19 (C.2C:58-12) and the magazine is maintained and used in
20 connection with participation in competitive shooting matches
21 sanctioned by the Director of Civilian Marksmanship of the United
22 States Department of the Army; or

23 (2) a firearm with a fixed magazine capacity or detachable
24 magazine capable of holding up to 15 rounds pursuant to section 7
25 of P.L.2018, c.39 (C.2C:39-20).

26 k. Handcuffs. Any person who knowingly has in his possession
27 handcuffs as defined in P.L.1991, c.437 (C.2C:39-9.2), under
28 circumstances not manifestly appropriate for such lawful uses as
29 handcuffs may have, is guilty of a disorderly persons offense. A
30 law enforcement officer shall confiscate handcuffs possessed in
31 violation of the law.

32 l. Bump stock or trigger crank. Any person who knowingly
33 possesses a bump stock as defined in subsection ee. of N.J.S.2C:39-
34 1 or a trigger crank as defined in subsection ff. of N.J.S.2C:39-1,
35 regardless of whether the person is in possession of a firearm, is
36 guilty of a crime of the third degree.

37 Notwithstanding the provisions of N.J.S.2C:1-8 or any other
38 provision of law, a conviction arising out of this subsection shall
39 not merge with a conviction for possessing an assault firearm in
40 violation of subsection f. of N.J.S.2C:39-5 or a machine gun in
41 violation of subsection a. of N.J.S.2C:39-5 and a separate sentence
42 shall be imposed upon each conviction. Notwithstanding the
43 provisions of N.J.S.2C:44-5 or any other provisions of law, the
44 sentence imposed pursuant to this subsection shall be served
45 consecutively to that imposed for unlawfully possessing an assault
46 firearm in violation of subsection f. of N.J.S.2C:39-5.

47 m. Covert or undetectable firearms. Any person who
48 knowingly possesses any covert firearm as defined in subsection hh.

1 of N.J.S.2C:39-1, an undetectable firearm as defined in subsection
2 ii. of N.J.S.2C:39-1, or a firearm enclosed in a container or covering
3 that is designed or modified to allow the firearm to be fired while so
4 enclosed and that disguises or obscures the shape of the firearm
5 such that it does not resemble a handgun, rifle, shotgun, or machine
6 gun is guilty of a crime of the third degree.

7 n. Firearms without a serial number. Any person who
8 knowingly possesses a firearm manufactured or otherwise
9 assembled using a firearm frame or firearm receiver as defined in
10 subsection k. of N.J.S.2C:39-9 which is not imprinted with a serial
11 number registered with a federally licensed manufacturer including,
12 but not limited to, a firearm manufactured or otherwise assembled
13 from parts purchased or otherwise obtained in violation of
14 subsection k. of N.J.S.2C:39-9, is guilty of a crime of the third
15 degree.

16 (cf: P.L.2019, c.165, s.2)

17
18 3. N.J.S.2C:39-9 is amended to read as follows:

19 2C:39-9. Manufacture, Transport, Disposition and Defacement
20 of Weapons and Dangerous Instruments and Appliances.

21 a. Machine guns. Any person who manufactures, causes to be
22 manufactured, transports, ships, sells or disposes of any machine
23 gun without being registered or licensed to do so as provided in
24 chapter 58 of Title 2C of the New Jersey Statutes is guilty of a
25 crime of the third degree.

26 b. Sawed-off shotguns. Any person who manufactures, causes
27 to be manufactured, transports, ships, sells or disposes of any
28 sawed-off shotgun is guilty of a crime of the third degree.

29 c. Firearm silencers. Any person who manufactures, causes to
30 be manufactured, transports, ships, sells or disposes of any firearm
31 silencer is guilty of a crime of the fourth degree.

32 d. Weapons. Any person who manufactures, causes to be
33 manufactured, transports, ships, sells or disposes of any weapon,
34 including gravity knives, switchblade knives, ballistic knives,
35 daggers, dirks, stilettos, billies, blackjacks, metal knuckles,
36 sandclubs, [slingshots,] cesti or similar leather bands studded with
37 metal filings, or, except as otherwise provided in subsection i. of
38 this section, in the case of firearms if he is not licensed or registered
39 to do so as provided in chapter 58 of Title 2C of the New Jersey
40 Statutes, is guilty of a crime of the fourth degree. Any person who
41 manufactures, causes to be manufactured, transports, ships, sells or
42 disposes of any weapon or other device which projects, releases or
43 emits tear gas or other substances intended to produce temporary
44 physical discomfort or permanent injury through being vaporized or
45 otherwise dispensed in the air, which is intended to be used for any
46 purpose other than for authorized military or law enforcement
47 purposes by duly authorized military or law enforcement personnel
48 or the device is for the purpose of personal self-defense, is pocket-

1 sized and contains not more than three-quarters of an ounce of
2 chemical substance not ordinarily capable of lethal use or of
3 inflicting serious bodily injury, or other than to be used by any
4 person permitted to possess such weapon or device under the
5 provisions of subsection d. of N.J.S.2C:39-5, which is intended for
6 use by financial and other business institutions as part of an
7 integrated security system, placed at fixed locations, for the
8 protection of money and property, by the duly authorized personnel
9 of those institutions, is guilty of a crime of the fourth degree.

10 e. Defaced firearms. Any person who defaces any firearm is
11 guilty of a crime of the third degree. Any person who knowingly
12 buys, receives, disposes of or conceals a defaced firearm, except an
13 antique firearm or an antique handgun, is guilty of a crime of the
14 fourth degree.

15 f. (1) Any person who manufactures, causes to be
16 manufactured, transports, ships, sells, or disposes of any armor-
17 piercing ammunition, as defined in subsection gg. of N.J.S.2C:39-1,
18 which is intended to be used for any purpose other than for
19 authorized military or law enforcement purposes by duly authorized
20 military or law enforcement personnel, is guilty of a crime of the
21 fourth degree.

22 (2) Nothing in this subsection shall be construed to prevent a
23 licensed collector of ammunition as defined in paragraph (2) of
24 subsection f. of N.J.S.2C:39-3 from transporting the bullets defined
25 in paragraph (1) of this subsection from (a) any licensed retail or
26 wholesale firearms dealer's place of business to the collector's
27 dwelling, premises, or other land owned or possessed by him, or (b)
28 to or from the collector's dwelling, premises or other land owned or
29 possessed by him to any gun show for the purposes of display, sale,
30 trade, or transfer between collectors, or (c) to or from the collector's
31 dwelling, premises or other land owned or possessed by him to any
32 rifle or pistol club organized in accordance with the rules prescribed
33 by the National Board for the Promotion of Rifle Practice; provided
34 that the club has filed a copy of its charter with the superintendent
35 of the State Police and annually submits a list of its members to the
36 superintendent, and provided further that the ammunition being
37 transported shall be carried not loaded in any firearm and contained
38 in a closed and fastened case, gun box, or locked in the trunk of the
39 automobile in which it is being transported, and the course of travel
40 shall include only such deviations as are reasonably necessary under
41 the circumstances.

42 g. Assault firearms. Any person who manufactures, causes to
43 be manufactured, transports, ships, sells or disposes of an assault
44 firearm without being registered or licensed to do so pursuant to
45 N.J.S.2C:58-1 et seq. is guilty of a crime of the third degree.

46 h. Large capacity ammunition magazines. Any person who
47 manufactures, causes to be manufactured, transports, ships, sells or
48 disposes of a large capacity ammunition magazine which is

1 intended to be used for any purpose other than for authorized
2 military or law enforcement purposes by duly authorized military or
3 law enforcement personnel is guilty of a crime of the fourth degree.

4 i. Transporting firearms into this State for an unlawful sale or
5 transfer. Any person who knowingly transports, ships or otherwise
6 brings into this State any firearm for the purpose of unlawfully
7 selling, transferring, giving, assigning or otherwise disposing of that
8 firearm to another individual is guilty of a crime of the second
9 degree. Any motor vehicle used by a person to transport, ship, or
10 otherwise bring a firearm into this State for unlawful sale or transfer
11 shall be subject to forfeiture in accordance with the provisions of
12 N.J.S.2C:64-1 et seq.; provided however, this forfeiture provision
13 shall not apply to innocent owners, nor shall it affect the rights of a
14 holder of a valid lien.

15 The temporary transfer of a firearm shall not constitute a
16 violation of this subsection if that firearm is transferred:

17 (1) while hunting or target shooting in accordance with the
18 provisions of section 1 of P.L.1992, c.74 (C.2C:58-3.1);

19 (2) for shooting competitions sponsored by a licensed dealer,
20 law enforcement agency, legally recognized military organization,
21 or a rifle or pistol club which has filed a copy of its charter with the
22 superintendent in accordance with the provisions of section 1 of
23 P.L.1992, c.74 (C.2C:58-3.1); or

24 (3) for participation in a training course conducted by a certified
25 instructor in accordance with the provisions of section 1 of
26 P.L.1997, c.375 (C.2C:58-3.2).

27 The transfer of any firearm that uses air or carbon dioxide to
28 expel a projectile; or the transfer of an antique firearm shall not
29 constitute a violation of this subsection.

30 j. Any person who manufactures, causes to be manufactured,
31 transports, ships, sells, or disposes of a bump stock as defined in
32 subsection ee. of N.J.S.2C:39-1 or a trigger crank as defined in
33 subsection ff. of N.J.S.2C:39-1 is guilty of a crime of the third
34 degree.

35 k. Purchasing firearm parts to manufacture a firearm without a
36 serial number. In addition to any other criminal penalties provided
37 under law, a person who, with the purpose to manufacture or
38 otherwise assemble a firearm and without being registered or
39 licensed do so as provided in chapter 58 of Title 2C of the New
40 Jersey Statutes, purchases or otherwise obtains separately or as part
41 of a kit a firearm frame or firearm receiver which is not imprinted
42 with a serial number registered with a federally licensed
43 manufacturer or any combination of parts from which a firearm
44 without a serial number may be readily manufactured or otherwise
45 assembled, but which does not have the capacity to function as a
46 firearm unless manufactured or otherwise assembled is guilty of a
47 crime of the second degree. Notwithstanding the provisions of
48 N.J.S.2C:1-8 or any other law, a conviction under this subsection

1 shall not merge with a conviction for any other criminal offense and
2 the court shall impose separate sentences upon a violation of this
3 subsection and any other criminal offense.

4 As used in this subsection, "firearm frame or firearm receiver"
5 means the part of a firearm that provides housing for the firearm's
6 internal components, such as the hammer, bolt or breechblock,
7 action, and firing mechanism, and includes without limitation any
8 object or part which is not a firearm frame or receiver in finished
9 form but is designed or intended to be used for that purpose and
10 which may readily be made into a firearm frame or receiver through
11 milling or other means.

12 1. Manufacturing or facilitating the manufacture of a firearm
13 using a three-dimensional printer. In addition to any other criminal
14 penalties provided under law it is a second-degree crime for:

15 (1) a person who is not registered or licensed to do so as a
16 manufacturer as provided in chapter 58 of Title 2C of the New
17 Jersey Statutes, to use a three-dimensional printer or similar device
18 to manufacture or produce a firearm, firearm receiver, magazine, or
19 firearm component; or

20 (2) a person to distribute by any means, including the Internet,
21 to a person in New Jersey who is not registered or licensed as a
22 manufacturer as provided in chapter 58 of Title 2C of the New
23 Jersey Statutes, digital instructions in the form of computer-aided
24 design files or other code or instructions stored and displayed in
25 electronic format as a digital model that may be used to program a
26 three-dimensional printer to manufacture or produce a firearm,
27 firearm receiver, magazine, or firearm component.

28 As used in this subsection: "three-dimensional printer" means a
29 computer or computer-driven machine or device capable of
30 producing a three-dimensional object from a digital model; and
31 "distribute" means to sell, or to manufacture, give, provide, lend,
32 trade, mail, deliver, publish, circulate, disseminate, present, exhibit,
33 display, share, advertise, offer, or make available via the Internet or
34 by any other means, whether for pecuniary gain or not, and includes
35 an agreement or attempt to distribute.

36 m. Covert or undetectable firearms. Any person who
37 manufactures, causes to be manufactured, transports, ships, sells or
38 disposes of any covert firearm as defined in subsection hh. of
39 N.J.S.2C:39-1 or any undetectable firearm as defined in subsection
40 ii. of N.J.S.2C:39-1 is guilty of a crime of the second degree.

41 n. Transporting a manufactured firearm without a serial
42 number. In addition to any other criminal penalties provided under
43 law, a person who transports, ships, sells, or disposes of a firearm
44 manufactured or otherwise assembled using a firearm frame or
45 firearm receiver as defined in subsection k. of this section which is
46 not imprinted with a serial number registered with a federally
47 licensed manufacturer, including but not limited to a firearm
48 manufactured or otherwise assembled from parts purchased or

1 otherwise obtained in violation of subsection k. of this section, is
2 guilty of a crime of the second degree.
3 (cf: P.L.2022, c.53, s.1)
4

5 4. This act shall take effect immediately
6
7

8 STATEMENT
9

10 This bill amends the definition of a “weapon” to remove
11 “slingshots” and decriminalizes the possession or manufacture of a
12 slingshot in New Jersey.

13 Under current law, a “slingshot” is defined as a weapon.
14 Additionally, two sections of law provide that possession of a
15 slingshot is a crime of the fourth degree, unless the person has an
16 explainable, lawful purpose for carrying the weapon. Another
17 section of law provides that manufacture of a slingshot can be a
18 fourth degree crime. Fourth degree crimes are punishable by a term
19 of imprisonment of up to 18 months, a fine of up to \$10,000, or
20 both.

21 Shooting slingshots has long been a traditional and peaceable
22 sporting activity, and one in which children often engage.
23 Consequently, this bill amends the definition of “weapon” to
24 remove slingshots. This change ensures that the burden to prove
25 lawful conduct will no longer rest on a person who simply
26 possesses a slingshot. The bill further provides that the manufacture
27 of slingshots will no longer be considered a fourth degree crime.

28 It should be noted that the definition of “weapon” in New Jersey
29 is broad enough to include the misuse of any instrument “readily
30 capable of lethal use or of inflicting serious bodily injury.” The
31 provisions of this bill do not amend that language. Accordingly, a
32 slingshot can still be considered a “weapon” if it is ever used as a
33 weapon.