

ASSEMBLY, No. 4918

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED OCTOBER 21, 2024

Sponsored by:

Assemblywoman NANCY F. MUÑOZ

District 21 (Middlesex, Morris, Somerset and Union)

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District 21 (Middlesex, Morris, Somerset and Union)

SYNOPSIS

Establishes crime for certain discharges of firearms.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning discharge of firearms and supplementing Title
2 2C of the New Jersey Statutes.

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

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7 1. a. A person who recklessly discharges a firearm unlawfully
8 or without a lawful purpose within 100 yards of an occupied
9 structure, school, college, university or other educational institution,
10 school bus, or child care facility, whether or not occupied, commits
11 a crime of the third degree.

12 For the purposes of this subsection, “structure” means any
13 building, room, ship, vessel, car, vehicle or airplane, and also means
14 any place adapted for overnight accommodation of persons, or for
15 carrying on business therein.

16 b. A person who recklessly discharges a firearm unlawfully or
17 without a lawful purpose in a manner other than as provided in
18 subsection a. of this section commits a crime of the fourth degree.

19 c. Notwithstanding the provisions of N.J.S.2C:1-8, or any other
20 provisions of law, a conviction arising under this section shall not
21 merge with any other related conviction and a separate sentence
22 shall be imposed upon each such conviction.

23 d. Notwithstanding the provisions of N.J.S.2C:44-5 or any
24 other provisions of law, when the court imposes multiple sentences
25 of imprisonment for more than one offense, those sentences shall
26 run consecutively.

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28 2. This act shall take effect immediately.

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STATEMENT

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33 This bill establishes the crime of reckless discharge of a firearm.

34 Under the bill, a person who recklessly discharges a firearm
35 unlawfully or without a lawful purpose within 100 yards of an
36 occupied structure or a school, college, university or other
37 educational institution, school bus, or child care facility, whether or
38 not occupied, commits a crime of the third degree. Any other
39 reckless discharge of a firearm is a crime of the fourth degree
40 pursuant to the provisions of the bill.

41 Third degree crimes are punishable by imprisonment for a term
42 of three to five years, a fine of up to \$15,000, or both. Fourth
43 degree crimes are punishable by imprisonment for a term of up to
44 18 months, a fine of up to \$10,000, or both.

45 The bill provides that a conviction for recklessly discharging a
46 firearm does not preclude an indictment and conviction for an
47 offense under a different provision of law and a subsequent
48 conviction is not to merge with the original conviction. The bill

1 also provides that in instances in which the court imposes multiple
2 sentences of imprisonment for more than one offense, those
3 sentences are to run consecutively.

4 This bill implements recommendation # 3 made in the report
5 “Illegal Firearms Use and Trends in New Jersey,” issued in
6 September 2024 by the New Jersey State Commission of
7 Investigation (SCI).