

**ASSEMBLY, No. 4974**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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INTRODUCED OCTOBER 21, 2024

**Sponsored by:**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Assemblywoman LISA SWAIN**

**District 38 (Bergen)**

**Co-Sponsored by:**

**Assemblywomen Bagolie, Collazos-Gill and Haider**

**SYNOPSIS**

Establishes criminal penalties for sale and possession of a machine gun conversion device.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 3/20/2025)**

1 AN ACT concerning firearm components and amending various  
2 sections of statutory law.

3

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

6

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

8 2C:39-1. Definitions. The following definitions apply to this  
9 chapter and to chapter 58:

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

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

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

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

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

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

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

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

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

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

**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 d. "Dispose of" means to give, give away, lease, loan, keep for  
2 sale, offer, offer for sale, sell, transfer, or otherwise transfer  
3 possession.
- 4 e. "Explosive" means any chemical compound or mixture that  
5 is commonly used or is possessed for the purpose of producing an  
6 explosion and which contains any oxidizing and combustible  
7 materials or other ingredients in such proportions, quantities or  
8 packing that an ignition by fire, by friction, by concussion or by  
9 detonation of any part of the compound or mixture may cause such  
10 a sudden generation of highly heated gases that the resultant  
11 gaseous pressures are capable of producing destructive effects on  
12 contiguous objects. The term shall not include small arms  
13 ammunition, or explosives in the form prescribed by the official  
14 United States Pharmacopoeia.
- 15 f. "Firearm" means any handgun, rifle, shotgun, machine gun,  
16 automatic or semi-automatic rifle, or any gun, device or instrument  
17 in the nature of a weapon from which may be fired or ejected any  
18 solid projectable ball, slug, pellet, missile or bullet, or any gas,  
19 vapor or other noxious thing, by means of a cartridge or shell or by  
20 the action of an explosive or the igniting of flammable or explosive  
21 substances. It shall also include, without limitation, any firearm  
22 which is in the nature of an air gun, spring gun or pistol or other  
23 weapon of a similar nature in which the propelling force is a spring,  
24 elastic band, carbon dioxide, compressed or other gas or vapor, air  
25 or compressed air, or is ignited by compressed air, and ejecting a  
26 bullet or missile smaller than three-eighths of an inch in diameter,  
27 with sufficient force to injure a person.
- 28 g. "Firearm silencer" means any instrument, attachment,  
29 weapon or appliance for causing the firing of any gun, revolver,  
30 pistol or other firearm to be silent, or intended to lessen or muffle  
31 the noise of the firing of any gun, revolver, pistol or other firearm.
- 32 h. "Gravity knife" means any knife which has a blade which is  
33 released from the handle or sheath thereof by the force of gravity or  
34 the application of centrifugal force.
- 35 i. "Machine gun" means any firearm, mechanism or instrument  
36 not requiring that the trigger be pressed for each shot and having a  
37 reservoir, belt or other means of storing and carrying ammunition  
38 which can be loaded into the firearm, mechanism or instrument and  
39 fired therefrom. A machine gun also shall include, without  
40 limitation, any firearm with a trigger crank or a machine gun  
41 conversion device attached.
- 42 j. "Manufacturer" means any person who receives or obtains  
43 raw materials or parts and processes them into firearms or finished  
44 parts of firearms, except a person who exclusively processes grips,  
45 stocks and other nonmetal parts of firearms. The term does not  
46 include a person who repairs existing firearms or receives new and  
47 used raw materials or parts solely for the repair of existing firearms.

- 1 k. "Handgun" means any pistol, revolver or other firearm  
2 originally designed or manufactured to be fired by the use of a  
3 single hand.
- 4 l. "Retail dealer" means any person including a gunsmith,  
5 except a manufacturer or a wholesale dealer, who sells, transfers or  
6 assigns for a fee or profit any firearm or parts of firearms or  
7 ammunition which he has purchased or obtained with the intention,  
8 or for the purpose, of reselling or reassigning to persons who are  
9 reasonably understood to be the ultimate consumers, and includes  
10 any person who is engaged in the business of repairing firearms or  
11 who sells any firearm to satisfy a debt secured by the pledge of a  
12 firearm.
- 13 m. "Rifle" means any firearm designed to be fired from the  
14 shoulder and using the energy of the explosive in a fixed metallic  
15 cartridge to fire a single projectile through a rifled bore for each  
16 single pull of the trigger.
- 17 n. "Shotgun" means any firearm designed to be fired from the  
18 shoulder and using the energy of the explosive in a fixed shotgun  
19 shell to fire through a smooth bore either a number of ball shots or a  
20 single projectile for each pull of the trigger, or any firearm designed  
21 to be fired from the shoulder which does not fire fixed ammunition.
- 22 o. "Sawed-off shotgun" means any shotgun having a barrel or  
23 barrels of less than 18 inches in length measured from the breech to  
24 the muzzle, or a rifle having a barrel or barrels of less than 16  
25 inches in length measured from the breech to the muzzle, or any  
26 firearm made from a rifle or a shotgun, whether by alteration, or  
27 otherwise, if such firearm as modified has an overall length of less  
28 than 26 inches.
- 29 p. "Switchblade knife" means any knife or similar device  
30 which has a blade which opens automatically by hand pressure  
31 applied to a button, spring or other device in the handle of the knife.
- 32 q. "Superintendent" means the Superintendent of the State  
33 Police.
- 34 r. "Weapon" means anything readily capable of lethal use or of  
35 inflicting serious bodily injury. The term includes, but is not  
36 limited to, all (1) firearms, even though not loaded or lacking a clip  
37 or other component to render them immediately operable; (2)  
38 components which can be readily assembled into a weapon; (3)  
39 gravity knives, switchblade knives, daggers, dirks, stilettos, or other  
40 dangerous knives, billies, blackjacks, bludgeons, metal knuckles,  
41 sandclubs, slingshots, cesti or similar leather bands studded with  
42 metal filings or razor blades imbedded in wood; and (4) stun guns;  
43 and any weapon or other device which projects, releases, or emits  
44 tear gas or any other substance intended to produce temporary  
45 physical discomfort or permanent injury through being vaporized or  
46 otherwise dispensed in the air.
- 47 s. "Wholesale dealer" means any person, except a  
48 manufacturer, who sells, transfers, or assigns firearms, or parts of

1 firearms, to persons who are reasonably understood not to be the  
2 ultimate consumers, and includes persons who receive finished  
3 parts of firearms and assemble them into completed or partially  
4 completed firearms, in furtherance of such purpose, except that it  
5 shall not include those persons dealing exclusively in grips, stocks  
6 and other nonmetal parts of firearms.

7 t. "Stun gun" means any weapon or other device which emits  
8 an electrical charge or current intended to temporarily or  
9 permanently disable a person.

10 u. "Ballistic knife" means any weapon or other device capable  
11 of lethal use and which can propel a knife blade.

12 v. "Imitation firearm" means an object or device reasonably  
13 capable of being mistaken for a firearm.

14 w. "Assault firearm" means:

15 (1) The following firearms:

16 Algimec AGM1 type

17 Any shotgun with a revolving cylinder such as the "Street  
18 Sweeper" or "Striker 12"

19 Armalite AR-180 type

20 Australian Automatic Arms SAR

21 Avtomat Kalashnikov type semi-automatic firearms

22 Beretta AR-70 and BM59 semi-automatic firearms

23 Bushmaster Assault Rifle

24 Calico M-900 Assault carbine and M-900

25 CETME G3

26 Chartered Industries of Singapore SR-88 type

27 Colt AR-15 and CAR-15 series

28 Daewoo K-1, K-2, Max 1 and Max 2, AR 100 types

29 Demro TAC-1 carbine type

30 Encom MP-9 and MP-45 carbine types

31 FAMAS MAS223 types

32 FN-FAL, FN-LAR, or FN-FNC type semi-automatic firearms

33 Franchi SPAS 12 and LAW 12 shotguns

34 G3SA type

35 Galil type Heckler and Koch HK91, HK93, HK94, MP5, PSG-1

36 Intratec TEC 9 and 22 semi-automatic firearms

37 M1 carbine type

38 M14S type

39 MAC 10, MAC 11, MAC 11-9mm carbine type firearms

40 PJK M-68 carbine type

41 Plainfield Machine Company Carbine

42 Ruger K-Mini-14/5F and Mini-14/5RF

43 SIG AMT, SIG 550SP, SIG 551SP, SIG PE-57 types

44 SKS with detachable magazine type

45 Spectre Auto carbine type

46 Springfield Armory BM59 and SAR-48 type

47 Sterling MK-6, MK-7 and SAR types

48 Steyr A.U.G. semi-automatic firearms

- 1 USAS 12 semi-automatic type shotgun  
2 Uzi type semi-automatic firearms  
3 Valmet M62, M71S, M76, or M78 type semi-automatic firearms  
4 Weaver Arm Nighthawk.
- 5 (2) Any firearm manufactured under any designation which is  
6 substantially identical to any of the firearms listed above.
- 7 (3) A semi-automatic shotgun with either a magazine capacity  
8 exceeding six rounds, a pistol grip, or a folding stock.
- 9 (4) A semi-automatic rifle with a fixed magazine capacity  
10 exceeding 10 rounds. "Assault firearm" shall not include a semi-  
11 automatic rifle which has an attached tubular device and which is  
12 capable of operating only with .22 caliber rimfire ammunition.
- 13 (5) A part or combination of parts designed or intended to  
14 convert a firearm into an assault firearm, or any combination of  
15 parts from which an assault firearm may be readily assembled if  
16 those parts are in the possession or under the control of the same  
17 person.
- 18 (6) A firearm with a bump stock attached.
- 19 x. "Semi-automatic" means a firearm which fires a single  
20 projectile for each single pull of the trigger and is self-reloading or  
21 automatically chambers a round, cartridge, or bullet.
- 22 y. "Large capacity ammunition magazine" means a box, drum,  
23 tube or other container which is capable of holding more than 10  
24 rounds of ammunition to be fed continuously and directly therefrom  
25 into a semi-automatic firearm. The term shall not include an  
26 attached tubular device which is capable of holding only .22 caliber  
27 rimfire ammunition.
- 28 z. "Pistol grip" means a well-defined handle, similar to that  
29 found on a handgun, that protrudes conspicuously beneath the  
30 action of the weapon, and which permits the shotgun to be held and  
31 fired with one hand.
- 32 aa. "Antique handgun" means a handgun manufactured before  
33 1898, or a replica thereof, which is recognized as being historical in  
34 nature or of historical significance and either (1) utilizes a match,  
35 friction, flint, or percussion ignition, or which utilizes a pin-fire  
36 cartridge in which the pin is part of the cartridge or (2) does not fire  
37 fixed ammunition or for which cartridge ammunition is not  
38 commercially available.
- 39 bb. "Trigger lock" means a commercially available device  
40 approved by the Superintendent of State Police which is operated  
41 with a key or combination lock that prevents a firearm from being  
42 discharged while the device is attached to the firearm. It may  
43 include, but need not be limited to, devices that obstruct the barrel  
44 or cylinder of the firearm, as well as devices that immobilize the  
45 trigger.
- 46 cc. "Trigger locking device" means a device that, if installed on  
47 a firearm and secured by means of a key or mechanically,  
48 electronically or electromechanically operated combination lock,

1 prevents the firearm from being discharged without first  
2 deactivating or removing the device by means of a key or  
3 mechanically, electronically or electromechanically operated  
4 combination lock.

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

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

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

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

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

1       ii. "Undetectable firearm" means a firearm that: (1) after  
2 removal of all parts other than major components, is not as  
3 detectable as the Security Exemplar, by walk-through metal  
4 detectors calibrated and operated to detect the Security Exemplar;  
5 or (2) includes a major component which, if the firearm were  
6 subjected to inspection by the types of detection devices commonly  
7 used at airports for security screening, would not generate an image  
8 that accurately depicts the shape of the component. "Undetectable  
9 firearm" shall not be construed to include a firearm subject to the  
10 provisions of paragraphs (3) through (6) of subsection (p) of 18  
11 U.S.C. s.922.

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

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

18       ll. "Authorized user" means the lawful owner of a personalized  
19 handgun or a person to whom the owner has given consent to use  
20 the personalized handgun.

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

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

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

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

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

31       nn. "Living historical reenactment" means a depiction of  
32 historical characters, scenes, historical life, or events for  
33 entertainment, education, or historical documentation through the  
34 wearing or use of period, historical, antique or vintage clothing,  
35 accessories, firearms, weapons, and other implements of the  
36 historical period.

37       oo. "Machine gun conversion device" means any plastic or  
38 metal device or any part or combination of parts designed and  
39 intended to be used to modify a semiautomatic firearm to shoot  
40 more than one shot with a single pull of the trigger.

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

42

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

44       2C:39-3. Prohibited Weapons and Devices.

45       a. Destructive devices. Any person who knowingly has in his  
46 possession any destructive device is guilty of a crime of the third  
47 degree.



- 1       b. Sawed-off shotguns. Any person who knowingly has in his  
2 possession any sawed-off shotgun is guilty of a crime of the third  
3 degree.
- 4       c. Silencers. Any person who knowingly has in his possession  
5 any firearm silencer is guilty of a crime of the fourth degree.
- 6       d. Defaced firearms. Any person who knowingly has in his  
7 possession any firearm which has been defaced, except an antique  
8 firearm or an antique handgun, is guilty of a crime of the fourth  
9 degree.
- 10      e. Certain weapons. Any person who knowingly has in his  
11 possession any gravity knife, switchblade knife, dagger, dirk,  
12 stiletto, billy, blackjack, metal knuckle, sandclub, slingshot, cestus  
13 or similar leather band studded with metal filings or razor blades  
14 imbedded in wood, ballistic knife, without any explainable lawful  
15 purpose, is guilty of a crime of the fourth degree.
- 16      f. Dum-dum or armor piercing ammunition. (1) Any person,  
17 other than a law enforcement officer or persons engaged in  
18 activities pursuant to subsection f. of N.J.S.2C:39-6, who  
19 knowingly has in his possession any hollow nose or dum-dum  
20 bullet, or (2) any person, other than a collector of firearms or  
21 ammunition as curios or relics as defined in Title 18, United States  
22 Code, section 921 (a) (13) and has in his possession a valid  
23 Collector of Curios and Relics License issued by the Bureau of  
24 Alcohol, Tobacco, Firearms, and Explosives, who knowingly has in  
25 his possession any armor piercing ammunition, as defined in  
26 subsection gg. of N.J.S.2C:39-1, is guilty of a crime of the fourth  
27 degree. For purposes of this section, a collector may possess not  
28 more than three examples of each distinctive variation of the  
29 ammunition described above. A distinctive variation includes a  
30 different head stamp, composition, design, or color.
- 31      g. Exceptions. (1) (a) Nothing in subsection a., b., c., d., e., f.,  
32 j. or k. of this section shall apply to any member of the Armed  
33 Forces of the United States or the National Guard, or except as  
34 otherwise provided, to any law enforcement officer while actually  
35 on duty or traveling to or from an authorized place of duty,  
36 provided that his possession of the prohibited weapon or device has  
37 been duly authorized under the applicable laws, regulations or  
38 military or law enforcement orders.
- 39      (b) Nothing in subsection j. of this section shall apply to a law  
40 enforcement officer who possesses and carries while off-duty a  
41 large capacity ammunition magazine capable of holding not more  
42 than 17 rounds of ammunition that can be fed continuously and  
43 directly into a semi-automatic firearm.
- 44      (c) Notwithstanding subparagraph (b) of this paragraph,  
45 subsection j. of this section shall not apply to a law enforcement  
46 officer who possesses and carries while off-duty a large capacity  
47 ammunition magazine capable of holding more than 17 rounds of  
48 ammunition that can be fed continuously and directly into a semi-

1 automatic firearm provided the large capacity ammunition magazine  
2 is used with a service firearm issued to the officer by the officer's  
3 employer for use in the officer's official duties.

4 (d) Nothing in subsection h. of this section shall apply to any  
5 law enforcement officer who is exempted from the provisions of  
6 that subsection by the Attorney General. Nothing in this section  
7 shall apply to the possession of any weapon or device by a law  
8 enforcement officer who has confiscated, seized or otherwise taken  
9 possession of said weapon or device as evidence of the commission  
10 of a crime or because he believed it to be possessed illegally by the  
11 person from whom it was taken, provided that said law enforcement  
12 officer promptly notifies his superiors of his possession of such  
13 prohibited weapon or device.

14 (2) (a) Nothing in paragraph (1) of subsection f. of this section  
15 shall be construed to prevent a person from keeping such  
16 ammunition at his dwelling, premises or other land owned or  
17 possessed by him, or from carrying such ammunition from the place  
18 of purchase to said dwelling or land, nor shall paragraph (1) of  
19 subsection f. of this section be construed to prevent any licensed  
20 retail or wholesale firearms dealer from possessing such  
21 ammunition at its licensed premises, provided that the seller of any  
22 such ammunition shall maintain a record of the name, age and place  
23 of residence of any purchaser who is not a licensed dealer, together  
24 with the date of sale and quantity of ammunition sold.

25 (b) Nothing in paragraph (1) of subsection f. of this section shall  
26 be construed to prevent a designated employee or designated  
27 licensed agent for a nuclear power plant under the license of the  
28 Nuclear Regulatory Commission from possessing hollow nose  
29 ammunition while in the actual performance of his official duties, if  
30 the federal licensee certifies that the designated employee or  
31 designated licensed agent is assigned to perform site protection,  
32 guard, armed response or armed escort duties and is appropriately  
33 trained and qualified, as prescribed by federal regulation, to  
34 perform those duties.

35 (3) Nothing in paragraph (2) of subsection f. or in subsection j.  
36 of this section shall be construed to prevent any licensed retail or  
37 wholesale firearms dealer from possessing that ammunition or large  
38 capacity ammunition magazine at its licensed premises for sale or  
39 disposition to another licensed dealer, the Armed Forces of the  
40 United States or the National Guard, or to a law enforcement  
41 agency, provided that the seller maintains a record of any sale or  
42 disposition to a law enforcement agency. The record shall include  
43 the name of the purchasing agency, together with written  
44 authorization of the chief of police or highest ranking official of the  
45 agency, the name and rank of the purchasing law enforcement  
46 officer, if applicable, and the date, time and amount of ammunition  
47 sold or otherwise disposed. A copy of this record shall be forwarded

1 by the seller to the Superintendent of the Division of State Police  
2 within 48 hours of the sale or disposition.

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

6 (5) Nothing in subsection c. of this section shall be construed to  
7 apply to any person who is specifically identified in a special deer  
8 management permit issued by the Division of Fish and Wildlife to  
9 utilize a firearm silencer as part of an alternative deer control  
10 method implemented in accordance with a special deer management  
11 permit issued pursuant to section 4 of P.L.2000, c.46 (C.23:4-42.6),  
12 while the person is in the actual performance of the permitted  
13 alternative deer control method and while going to and from the  
14 place where the permitted alternative deer control method is being  
15 utilized. This exception shall not, however, otherwise apply to any  
16 person to authorize the purchase or possession of a firearm silencer.

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

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

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

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

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

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

42 l. Bump stock **【or】**, trigger crank, or machine gun conversion  
43 device. Any person who knowingly possesses a bump stock as  
44 defined in subsection ee. of N.J.S.2C:39-1 **【or】**, a trigger crank as  
45 defined in subsection ff. of N.J.S.2C:39-1, or machine gun  
46 conversion device as defined in subsection oo. of N.J.S.2C:39-1,  
47 regardless of whether the person is in possession of a firearm, is  
48 guilty of a crime of the third degree.

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

11 m. Covert or undetectable firearms. Any person who  
12 knowingly possesses any covert firearm as defined in subsection hh.  
13 of N.J.S.2C:39-1, an undetectable firearm as defined in subsection  
14 ii. of N.J.S.2C:39-1, or a firearm enclosed in a container or covering  
15 that is designed or modified to allow the firearm to be fired while so  
16 enclosed and that disguises or obscures the shape of the firearm  
17 such that it does not resemble a handgun, rifle, shotgun, or machine  
18 gun is guilty of a crime of the third degree.

19 n. Firearms without a serial number. Any person who  
20 knowingly possesses a firearm manufactured or otherwise  
21 assembled using a firearm frame or firearm receiver as defined in  
22 subsection k. of N.J.S.2C:39-9 which is not imprinted with a serial  
23 number registered with a federally licensed manufacturer including,  
24 but not limited to, a firearm manufactured or otherwise assembled  
25 from parts purchased or otherwise obtained in violation of  
26 subsection k. of N.J.S.2C:39-9, is guilty of a crime of the third  
27 degree.

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

29

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

31 2C:39-9. Manufacture, Transport, Disposition and Defacement  
32 of Weapons and Dangerous Instruments and Appliances.

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

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

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

44 d. Weapons. Any person who manufactures, causes to be  
45 manufactured, transports, ships, sells or disposes of any weapon,  
46 including gravity knives, switchblade knives, ballistic knives,  
47 daggers, dirks, stilettos, billies, blackjacks, metal knuckles,  
48 sandclubs, slingshots, cesti or similar leather bands studded with

1 metal filings, or, except as otherwise provided in subsection i. of  
2 this section, in the case of firearms if he is not licensed or registered  
3 to do so as provided in chapter 58 of Title 2C of the New Jersey  
4 Statutes, is guilty of a crime of the fourth degree. Any person who  
5 manufactures, causes to be manufactured, transports, ships, sells or  
6 disposes of any weapon or other device which projects, releases or  
7 emits tear gas or other substances intended to produce temporary  
8 physical discomfort or permanent injury through being vaporized or  
9 otherwise dispensed in the air, which is intended to be used for any  
10 purpose other than for authorized military or law enforcement  
11 purposes by duly authorized military or law enforcement personnel  
12 or the device is for the purpose of personal self-defense, is pocket-  
13 sized and contains not more than three-quarters of an ounce of  
14 chemical substance not ordinarily capable of lethal use or of  
15 inflicting serious bodily injury, or other than to be used by any  
16 person permitted to possess such weapon or device under the  
17 provisions of subsection d. of N.J.S.2C:39-5, which is intended for  
18 use by financial and other business institutions as part of an  
19 integrated security system, placed at fixed locations, for the  
20 protection of money and property, by the duly authorized personnel  
21 of those institutions, is guilty of a crime of the fourth degree.

22 e. Defaced firearms. Any person who defaces any firearm is  
23 guilty of a crime of the third degree. Any person who knowingly  
24 buys, receives, disposes of or conceals a defaced firearm, except an  
25 antique firearm or an antique handgun, is guilty of a crime of the  
26 fourth degree.

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

34 (2) Nothing in this subsection shall be construed to prevent a  
35 licensed collector of ammunition as defined in paragraph (2) of  
36 subsection f. of N.J.S.2C:39-3 from transporting the bullets defined  
37 in paragraph (1) of this subsection from (a) any licensed retail or  
38 wholesale firearms dealer's place of business to the collector's  
39 dwelling, premises, or other land owned or possessed by him, or (b)  
40 to or from the collector's dwelling, premises or other land owned or  
41 possessed by him to any gun show for the purposes of display, sale,  
42 trade, or transfer between collectors, or (c) to or from the collector's  
43 dwelling, premises or other land owned or possessed by him to any  
44 rifle or pistol club organized in accordance with the rules prescribed  
45 by the National Board for the Promotion of Rifle Practice; provided  
46 that the club has filed a copy of its charter with the superintendent  
47 of the State Police and annually submits a list of its members to the  
48 superintendent, and provided further that the ammunition being

1 transported shall be carried not loaded in any firearm and contained  
2 in a closed and fastened case, gun box, or locked in the trunk of the  
3 automobile in which it is being transported, and the course of travel  
4 shall include only such deviations as are reasonably necessary under  
5 the circumstances.

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

10 h. Large capacity ammunition magazines. Any person who  
11 manufactures, causes to be manufactured, transports, ships, sells or  
12 disposes of a large capacity ammunition magazine which is  
13 intended to be used for any purpose other than for authorized  
14 military or law enforcement purposes by duly authorized military or  
15 law enforcement personnel is guilty of a crime of the fourth degree.

16 i. Transporting firearms into this State for an unlawful sale or  
17 transfer. Any person who knowingly transports, ships or otherwise  
18 brings into this State any firearm for the purpose of unlawfully  
19 selling, transferring, giving, assigning or otherwise disposing of that  
20 firearm to another individual is guilty of a crime of the second  
21 degree. Any motor vehicle used by a person to transport, ship, or  
22 otherwise bring a firearm into this State for unlawful sale or transfer  
23 shall be subject to forfeiture in accordance with the provisions of  
24 N.J.S.2C:64-1 et seq.; provided however, this forfeiture provision  
25 shall not apply to innocent owners, nor shall it affect the rights of a  
26 holder of a valid lien.

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

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

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

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

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

42 j. Any person who manufactures, causes to be manufactured,  
43 transports, ships, sells, or disposes of a bump stock as defined in  
44 subsection ee. of N.J.S.2C:39-1 **[or]** , a trigger crank as defined in  
45 subsection ff. of N.J.S.2C:39-1 , or a machine gun conversion  
46 device as defined in subsection oo. of N.J.S.2C:39-1 is guilty of a  
47 crime of the third degree.

1 k. Purchasing firearm parts to manufacture a firearm without a  
2 serial number. In addition to any other criminal penalties provided  
3 under law, a person who, with the purpose to manufacture or  
4 otherwise assemble a firearm and without being registered or  
5 licensed do so as provided in chapter 58 of Title 2C of the New  
6 Jersey Statutes, purchases or otherwise obtains separately or as part  
7 of a kit a firearm frame or firearm receiver which is not imprinted  
8 with a serial number registered with a federally licensed  
9 manufacturer or any combination of parts from which a firearm  
10 without a serial number may be readily manufactured or otherwise  
11 assembled, but which does not have the capacity to function as a  
12 firearm unless manufactured or otherwise assembled is guilty of a  
13 crime of the second degree. Notwithstanding the provisions of  
14 N.J.S.2C:1-8 or any other law, a conviction under this subsection  
15 shall not merge with a conviction for any other criminal offense and  
16 the court shall impose separate sentences upon a violation of this  
17 subsection and any other criminal offense.

18 As used in this subsection, "firearm frame or firearm receiver"  
19 means the part of a firearm that provides housing for the firearm's  
20 internal components, such as the hammer, bolt or breechblock,  
21 action, and firing mechanism, and includes without limitation any  
22 object or part which is not a firearm frame or receiver in finished  
23 form but is designed or intended to be used for that purpose and  
24 which may readily be made into a firearm frame or receiver through  
25 milling or other means.

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

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

34 (2) a person to distribute by any means, including the Internet,  
35 to a person in New Jersey who is not registered or licensed as a  
36 manufacturer as provided in chapter 58 of Title 2C of the New  
37 Jersey Statutes, digital instructions in the form of computer-aided  
38 design files or other code or instructions stored and displayed in  
39 electronic format as a digital model that may be used to program a  
40 three-dimensional printer to manufacture or produce a firearm,  
41 firearm receiver, magazine, or firearm component.

42 As used in this subsection: "three-dimensional printer" means a  
43 computer or computer-driven machine or device capable of  
44 producing a three-dimensional object from a digital model; and  
45 "distribute" means to sell, or to manufacture, give, provide, lend,  
46 trade, mail, deliver, publish, circulate, disseminate, present, exhibit,  
47 display, share, advertise, offer, or make available via the Internet or

1 by any other means, whether for pecuniary gain or not, and includes  
2 an agreement or attempt to distribute.

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

8 n. Transporting a manufactured firearm without a serial  
9 number. In addition to any other criminal penalties provided under  
10 law, a person who transports, ships, sells, or disposes of a firearm  
11 manufactured or otherwise assembled using a firearm frame or  
12 firearm receiver as defined in subsection k. of this section which is  
13 not imprinted with a serial number registered with a federally  
14 licensed manufacturer, including but not limited to a firearm  
15 manufactured or otherwise assembled from parts purchased or  
16 otherwise obtained in violation of subsection k. of this section, is  
17 guilty of a crime of the second degree.

18 (cf: P.L.2022, c.53, s.1)

19

20 4. This act shall take effect immediately.

21

22

23

#### STATEMENT

24

25 This bill establishes the crime of possessing or selling a machine  
26 gun conversion device, which the bill defines as any device  
27 designed and intended to be used to modify a semiautomatic firearm  
28 to shoot more than one shot with a single pull of the trigger.

29 The bill also clarifies that a firearm affixed with a machine gun  
30 conversion device constitutes a machine gun. Under current law, it  
31 is a second degree crime to possess a machine gun. A crime of the  
32 second degree is punishable by five to 10 years imprisonment, a fine  
33 of up to \$150,000, or both.

34 The bill establishes a third degree crime for possession of a  
35 machine gun conversion device, regardless of whether the person is in  
36 possession of a firearm, and provides that the penalty for possessing a  
37 machine gun conversion device is to run consecutively with the  
38 penalty for possessing an assault firearm or machine gun. In addition,  
39 the bill also establishes a third degree crime of manufacturing,  
40 transporting, shipping, selling, or disposing of a machine gun  
41 conversion device. A crime of the third degree is punishable by three  
42 to five years imprisonment, a fine of up to \$15,000, or both.