

ASSEMBLY, No. 4976

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED OCTOBER 21, 2024

Sponsored by:

Assemblyman WILLIAM F. MOEN, JR.

District 5 (Camden and Gloucester)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Co-Sponsored by:

Assemblyman Conaway, Assemblywomen Reynolds-Jackson and Bagolie

SYNOPSIS

Establishes crime of reckless discharge of firearm.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/20/2025)

1 AN ACT concerning firearms and supplementing Title 2C of the
2 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 commits a crime of the third degree by
8 recklessly discharging a firearm unlawfully or without a lawful
9 purpose within a hundred yards of:

10 (1) an occupied structure; or

11 (2) a school, college, university or other educational institution,
12 school bus, or child care facility, whether or not occupied.

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

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

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

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

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29 2. This act shall take effect immediately.

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STATEMENT

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34 This bill establishes that it is a crime to discharge a firearm
35 unlawfully or for an unlawful purpose.

36 Under the bill, a person commits a crime of the third degree by
37 recklessly discharging a firearm unlawfully or without a lawful
38 purpose within a hundred yards of: (1) an occupied structure; or (2)
39 a school, college, university or other educational institution, school
40 bus, or child care facility, whether or not occupied. Any other
41 reckless discharge of a firearm is a crime of the fourth degree
42 pursuant to the bill.

43 Third-degree crimes are punishable by imprisonment for a term
44 of three to five years, a fine of up to \$15,000, or both. Fourth-
45 degree crimes are punishable by imprisonment for a term of up to
46 18 months, a fine of up to \$10,000, or both.

47 The bill provides that a conviction for recklessly discharging a
48 firearm does not preclude an indictment and conviction for an

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1 offense under a different provision of law, and a subsequent
2 conviction is not to merge with the original conviction. The bill also
3 provides that in instances in which the court imposes multiple
4 sentences of imprisonment for more than one offense, those
5 sentences are to run consecutively.