

CHAPTER 364

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

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

C.2C:39-8 Reckless discharge of firearms offense; definitions; violations, convictions.

1. a. For the purposes of this act:

“Recklessly” shall have the same meaning as set forth in paragraph (3) of subsection b. of N.J.S.2C:2-2.

“Structure” means any building, room, ship, vessel, car, vehicle, or airplane, and also means any place adapted for overnight accommodation of persons or for carrying on business therein.

b. A person commits a disorderly persons offense by recklessly discharging a firearm using live ammunition rounds unlawfully or without a lawful purpose, except that a second conviction for such an offense constitutes a crime of the fourth degree, and a third or subsequent conviction for such an offense constitutes a crime of the third degree.

c. A person who commits a violation of subsection b. of this section shall be charged with a crime of one degree higher than what ordinarily would be charged for such offense, where the violation occurs within 100 yards of:

(1) an occupied structure; or

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

A map or true copy of a map depicting the location and boundaries of the area within 100 yards of any property subject to this subsection may be used in a prosecution under this subsection.

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

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

f. It is an affirmative defense to prosecution if while engaging in conduct prohibited under this section, the actor was acting otherwise in lawful self-defense.

2. This act shall take effect immediately.

Approved January 20, 2026.