

SENATE, No. 3281

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MAY 16, 2024

Sponsored by:

Senator ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Co-Sponsored by:

Senator Turner

SYNOPSIS

Increases from 18 to 21 age at which person is eligible to receive firearms purchaser identification.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/10/2024)

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2

1 AN ACT concerning the purchase and possession of firearms,
2 amending N.J.S.2C:58-3 and P.L.1979, c.179, and supplementing
3 Title 2C of the New Jersey Statutes.

4

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

7

8 1. N.J.S.2C:58-3 is amended to read as follows:

9 2C:58-3. a. Permit to purchase a handgun.

10 (1) A person shall not sell, give, transfer, assign or otherwise
11 dispose of, nor receive, purchase, or otherwise acquire a handgun
12 unless the purchaser, assignee, donee, receiver or holder is licensed
13 as a dealer under this chapter or has first secured a permit to
14 purchase a handgun as provided by this section.

15 (2) A person who is not a licensed retail dealer and sells, gives,
16 transfers, assigns, or otherwise disposes of, or receives, purchases
17 or otherwise acquires a handgun pursuant to this section shall
18 conduct the transaction through a licensed retail dealer.

19 The provisions of this paragraph shall not apply if the transaction
20 is:

21 (a) between members of an immediate family as defined in
22 subsection n. of this section;

23 (b) between law enforcement officers;

24 (c) between collectors of firearms or ammunition as curios or
25 relics as defined in Title 18, U.S.C. section 921 (a) (13) who have
26 in their possession a valid Collector of Curios and Relics License
27 issued by the Bureau of Alcohol, Tobacco, Firearms, and
28 Explosives; or

29 (d) a temporary transfer pursuant to section 1 of P.L.1992, c.74
30 (C.2C:58-3.1) or section 1 of P.L.1997, c.375 (C.2C:58-3.2).

31 (3) Prior to a transaction conducted pursuant to this subsection,
32 the retail dealer shall complete a National Instant Criminal
33 Background Check of the person acquiring the handgun. In
34 addition:

35 (a) the retail dealer shall submit to the Superintendent of State
36 Police, on a form approved by the superintendent, information
37 identifying and confirming the background check;

38 (b) every retail dealer shall maintain a record of transactions
39 conducted pursuant to this subsection, which shall be maintained at
40 the address displayed on the retail dealer's license for inspection by
41 a law enforcement officer during reasonable hours;

42 (c) a retail dealer may charge a fee for a transaction conducted
43 pursuant to this subsection; and

44 (d) any record produced pursuant to this subsection shall not be
45 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et

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.

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1 seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

2 b. Firearms purchaser identification card.

3 (1) A person shall not sell, give, transfer, assign or otherwise
4 dispose of nor receive, purchase or otherwise acquire an antique
5 cannon or a rifle or shotgun, other than an antique rifle or shotgun,
6 unless the purchaser, assignee, donee, receiver or holder is licensed
7 as a dealer under this chapter or possesses a valid firearms
8 purchaser identification card, and first exhibits the card to the seller,
9 donor, transferor or assignor, and unless the purchaser, assignee,
10 donee, receiver or holder signs a written certification, on a form
11 prescribed by the superintendent, which shall indicate that the
12 person presently complies with the requirements of subsection c. of
13 this section and shall contain the person's name, address and
14 firearms purchaser identification card number or dealer's
15 registration number. The certification shall be retained by the
16 seller, as provided in paragraph (4) of subsection a. of N.J.S.2C:58-
17 2, or, in the case of a person who is not a dealer, it may be filed
18 with the chief police officer of the municipality in which the person
19 resides or with the superintendent.

20 (2) A person who is not a licensed retail dealer and sells, gives,
21 transfers, assigns, or otherwise disposes of, or receives, purchases
22 or otherwise acquires an antique cannon or a rifle or shotgun
23 pursuant to this section shall conduct the transaction through a
24 licensed retail dealer.

25 The provisions of this paragraph shall not apply if the transaction
26 is:

27 (a) between members of an immediate family as defined in
28 subsection n. of this section;

29 (b) between law enforcement officers;

30 (c) between collectors of firearms or ammunition as curios or
31 relics as defined in Title 18, U.S.C. section 921 (a) (13) who have
32 in their possession a valid Collector of Curios and Relics License
33 issued by the Bureau of Alcohol, Tobacco, Firearms, and
34 Explosives; or

35 (d) a temporary transfer pursuant to section 1 of P.L.1992, c.74
36 (C.2C:58-3.1) and section 1 of P.L.1997, c.375 (C.2C:58-3.2).

37 (3) Prior to a transaction conducted pursuant to this subsection,
38 the retail dealer shall complete a National Instant Criminal
39 Background Check of the person acquiring an antique cannon or a
40 rifle or shotgun. In addition:

41 (a) the retail dealer shall submit to the Superintendent of State
42 Police, on a form approved by the superintendent, information
43 identifying and confirming the background check;

44 (b) every retail dealer shall maintain a record of transactions
45 conducted pursuant to this section which shall be maintained at the
46 address set forth on the retail dealer's license for inspection by a law
47 enforcement officer during reasonable hours;

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- 1 (c) a retail dealer may charge a fee, not to exceed \$70, for a
2 transaction conducted pursuant to this subsection; and
- 3 (d) any record produced pursuant to this subsection shall not be
4 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et
5 seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).
- 6 c. Who may obtain. Except as hereinafter provided, a person
7 shall not be denied a permit to purchase a handgun or a firearms
8 purchaser identification card, unless the person is known in the
9 community in which the person lives as someone who has engaged
10 in acts or made statements suggesting the person is likely to engage
11 in conduct, other than justified self-defense, that would pose a
12 danger to self or others, or is subject to any of the disabilities set
13 forth in this section or other sections of this chapter. A handgun
14 purchase permit or firearms purchaser identification card shall not
15 be issued:
- 16 (1) To any person who has been convicted of: (a) any crime in
17 this State or its felony counterpart in any other state or federal
18 jurisdiction; or (b) a disorderly persons offense in this State
19 involving an act of domestic violence as defined in section 3 of
20 P.L.1991, c.261 (C.2C:25-19) or its felony or misdemeanor
21 counterpart involving an act of domestic violence as defined under
22 a comparable statute in any other state or federal jurisdiction,
23 whether or not armed with or possessing a weapon at the time of the
24 offense;
- 25 (2) To any person who is presently confined for a mental
26 disorder as a voluntary admission as defined in section 2 of
27 P.L.1987, c.116 (C.30:4-27.2) or who is presently involuntarily
28 committed to inpatient or outpatient treatment pursuant to P.L.1987,
29 c.116 (C.30:4-27.1 et seq.);
- 30 (3) To any person who suffers from a physical defect or disease
31 which would make it unsafe for that person to handle firearms, to
32 any person with a substance use disorder unless any of the
33 foregoing persons produces a certificate of a medical doctor,
34 treatment provider, or psychiatrist licensed in New Jersey, or other
35 satisfactory proof, that the person no longer has that particular
36 disability in a manner that would interfere with or handicap that
37 person in the handling of firearms; to any person who knowingly
38 falsifies any information on the application form for a handgun
39 purchase permit or firearms purchaser identification card;
- 40 (4) **【To】** Except as provided by section 3 of P.L. _____, c.
41 (C. _____) (pending before the Legislature as this bill), to any person
42 under **【the age of 18 years for a firearms purchaser identification**
43 **card and to any person under】** the age of 21 years **【for a permit to**
44 **purchase a handgun】**;
- 45 (5) To any person where the issuance would not be in the
46 interest of the public health, safety or welfare because the person is
47 found to be lacking the essential character of temperament
48 necessary to be entrusted with a firearm;

1 (6) To any person who is subject to or has violated a temporary
2 or final restraining order issued pursuant to the "Prevention of
3 Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et
4 seq.) prohibiting the person from possessing any firearm or a
5 temporary or final domestic violence restraining order issued in
6 another jurisdiction prohibiting the person from possessing any
7 firearm;

8 (7) To any person who as a juvenile was adjudicated delinquent
9 for an offense which, if committed by an adult, would constitute a
10 crime and the offense involved the unlawful use or possession of a
11 weapon, explosive or destructive device or is enumerated in
12 subsection d. of section 2 of P.L.1997, c.117 (C.2C:43-7.2);

13 (8) To any person whose firearm is seized pursuant to the
14 "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261
15 (C.2C:25-17 et seq.) and whose firearm has not been returned; or

16 (9) To any person named on the consolidated Terrorist Watchlist
17 maintained by the Terrorist Screening Center administered by the
18 Federal Bureau of Investigation;

19 (10) To any person who is subject to or has violated a court
20 order prohibiting the custody, control, ownership, purchase,
21 possession, or receipt of a firearm or ammunition issued pursuant to
22 the "Extreme Risk Protective Order Act of 2018," P.L.2018, c.35
23 (C.2C:58-20 et al.);

24 (11) To any person who is subject to or has violated a court
25 order prohibiting the custody, control, ownership, purchase,
26 possession, or receipt of a firearm or ammunition issued pursuant to
27 P.L.2021, c.327 (C.2C:12-14 et al.);

28 (12) To any person who is subject to or has violated a temporary
29 or final protective order issued pursuant to the "Victim's Assistance
30 and Survivor Protection Act," P.L.2015, c.147 (C.2C:14-13 et al.);

31 (13) To any person who has previously been voluntarily
32 admitted to inpatient treatment pursuant to P.L.1987, c.116 (C.30:4-
33 27.1 et seq.) or involuntarily committed to inpatient or outpatient
34 treatment pursuant to P.L.1987, c.116 (C.30:4-27.1 et seq.), unless
35 the court has expunged the person's record pursuant to P.L.1953,
36 c.268 (C.30:4-80.8 et seq.);

37 (14) To any person who is subject to an outstanding arrest
38 warrant for an indictable crime in this State or for a felony, other
39 than a felony to which section 1 of P.L.2022, c.50 (C.2A:160-14.1)
40 would apply, in any other state or federal jurisdiction; or

41 (15) To any person who is a fugitive from justice due to having
42 fled from any state or federal jurisdiction to avoid prosecution for a
43 crime, other than a crime to which section 1 of P.L.2022, c.50
44 (C.2A:160-14.1) would apply, or to avoid giving testimony in any
45 criminal proceeding.

46 In order to obtain a permit to purchase a handgun or a firearms
47 purchaser identification card, the applicant shall demonstrate that,
48 within four years prior to the date of the application, the applicant

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1 satisfactorily completed a course of instruction approved by the
2 superintendent in the lawful and safe handling and storage of
3 firearms. The applicant shall be required to demonstrate
4 completion of a course of instruction only once prior to obtaining
5 either a firearms purchaser identification card or the applicant's first
6 permit to purchase a handgun.

7 The applicant shall not be required to demonstrate completion of
8 a course of instruction in order to obtain any subsequent permit to
9 purchase a handgun, to replace an existing firearms purchaser
10 identification card, or to renew a firearms purchaser identification
11 card.

12 An applicant who is a law enforcement officer who has satisfied
13 the requirements of subsection j. of N.J.S.2C:39-6, a retired law
14 enforcement officer who has satisfied the requirements of
15 subsection l. of N.J.S.2C:39-6, or a veteran who was honorably
16 discharged as a member of the United States Armed Forces or
17 National Guard who received substantially equivalent training shall
18 not be required to complete the course of instruction required
19 pursuant to the provisions of this subsection.

20 A person who obtained a permit to purchase a handgun or a
21 firearms purchaser identification card prior to the effective date of
22 P.L.2022, c.58 shall not be required to complete a course of
23 instruction pursuant to this subsection.

24 d. Issuance. The chief police officer of an organized full-time
25 police department of the municipality where the applicant resides or
26 the superintendent, in all other cases, shall upon application, issue
27 to any person qualified under the provisions of subsection c. of this
28 section a permit to purchase a handgun or a firearms purchaser
29 identification card.

30 A firearms purchaser identification card issued following the
31 effective date of P.L.2022, c.58 shall display a color photograph
32 and be electronically linked to the fingerprints of the card holder. A
33 person who obtained a firearms purchaser identification card prior
34 to the effective date of P.L.2022, c.58 shall not be required to
35 obtain a firearms purchaser identification card that displays a color
36 photograph and is electronically linked to fingerprints. The
37 superintendent shall establish guidelines as necessary to effectuate
38 the issuance of firearms purchaser identification cards that display a
39 color photograph and which are electronically linked to the
40 fingerprints of the card holder.

41 The requirements of this subsection concerning firearms
42 purchaser identification cards issued following the effective date of
43 P.L.2022, c.58 shall remain inoperative until such time as the
44 superintendent establishes a system to produce cards that comply
45 with this requirement and, until such time, applicants issued a
46 firearms purchaser identification card shall be provided with cards
47 that do not conform to the requirements of this section, which shall
48 be afforded full force and effect until such time as the system is

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1 established and a compliant card is issued in accordance with this
2 subsection. An applicant issued a non-compliant firearms purchaser
3 identification card shall obtain a card, at no cost to the applicant,
4 which conforms to the requirements of this section no later than one
5 year after receiving notice that the system to produce cards that
6 comply with this requirement is operational.

7 If an application for a permit or identification card is denied, the
8 applicant shall be provided with a written statement of the reasons
9 for the denial. Any person aggrieved by the denial of a permit or
10 identification card may request a hearing in the Superior Court of
11 the county in which the person resides if the person is a resident of
12 New Jersey or in the Superior Court of the county in which the
13 person's application was filed if the person is a nonresident. The
14 request for a hearing shall be made in writing within 30 days of the
15 denial of the application for a permit or identification card. The
16 applicant shall serve a copy of the request for a hearing upon the
17 chief police officer of the municipality in which the person resides,
18 if the person is a resident of New Jersey, and upon the
19 superintendent in all cases. The hearing shall be held and a record
20 made thereof within 60 days of the receipt of the application for a
21 hearing by the judge of the Superior Court. No formal pleading and
22 no filing fee shall be required as a preliminary to a hearing.
23 Appeals from the results of a hearing shall be in accordance with
24 law.

25 The Administrative Director of the Courts shall coordinate with
26 the superintendent in the development of an electronic filing system
27 to receive requests for hearings and serve the chief police officer
28 and superintendent as required in this section.

29 e. Applications. Applications for permits to purchase a
30 handgun and for firearms purchaser identification cards shall be in
31 the form prescribed by the superintendent and shall set forth the
32 name, residence, place of business, age, date of birth, occupation,
33 sex, any aliases or other names previously used by the applicant,
34 gender, and physical description, including distinguishing physical
35 characteristics, if any, of the applicant, and shall state whether the
36 applicant is a citizen, whether the applicant has a substance use
37 disorder, whether the applicant has ever been confined or
38 committed to a mental institution or hospital for treatment or
39 observation of a mental or psychiatric condition on a temporary,
40 interim or permanent basis, giving the name and location of the
41 institution or hospital and the dates of confinement or commitment,
42 whether the applicant has been attended, treated or observed by any
43 doctor or psychiatrist or at any hospital or mental institution on an
44 inpatient or outpatient basis for any mental or psychiatric condition,
45 giving the name and location of the doctor, psychiatrist, hospital or
46 institution and the dates of the occurrence, whether the applicant
47 presently or ever has been a member of any organization which
48 advocates or approves the commission of acts of force and violence

1 to overthrow the Government of the United States or of this State,
2 or which seeks to deny others their rights under the Constitution of
3 either the United States or the State of New Jersey, whether the
4 applicant has ever been convicted of a crime or disorderly persons
5 offense in this State or felony or misdemeanor in any other state or
6 federal jurisdiction, whether the applicant is subject to a restraining
7 order issued pursuant to the "Prevention of Domestic Violence Act
8 of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.) or an order entered
9 under the provisions of a substantially similar statute under the laws
10 of another jurisdiction prohibiting the applicant from possessing
11 any firearm, whether the applicant is subject to a protective order
12 issued pursuant to the "Victim's Assistance and Survivor Protection
13 Act," P.L.2015, c.147 (C.2C:14-13 et al.) or an order entered under
14 the provisions of a substantially similar statute under the laws of
15 another jurisdiction, whether the applicant is subject to a protective
16 order issued pursuant to the "Extreme Risk Protective Order Act of
17 2018," P.L.2018, c.35 (C.2C:58-20 et al.), whether the applicant is
18 subject to a protective order issued pursuant to P.L.2021, c.327
19 (C.2C:12-14 et al.) prohibiting the applicant from possessing any
20 firearm, and other information as the superintendent shall deem
21 necessary for the proper enforcement of this chapter. For the
22 purpose of complying with this subsection, the applicant shall
23 waive any statutory or other right of confidentiality relating to
24 institutional confinement. The application shall be signed by the
25 applicant and shall contain as references the names and addresses of
26 two reputable citizens personally acquainted with the applicant.

27 An applicant for a permit to purchase a handgun shall also
28 certify, with respect to each handgun listed on the form, whether the
29 applicant is purchasing the handgun on the applicant's own behalf
30 or, if not, that the purchase is being made on behalf of a third party
31 to whom the applicant may lawfully transfer the handgun.

32 Application blanks shall be obtainable from the superintendent,
33 from any other officer authorized to grant a permit or identification
34 card, and from licensed retail dealers, or shall be made available
35 through an online process established or made available by the
36 superintendent.

37 The chief police officer or the superintendent shall obtain the
38 fingerprints of the applicant and shall have them compared with any
39 and all records of fingerprints in the municipality and county in
40 which the applicant resides and also the records of the State Bureau
41 of Identification and the Federal Bureau of Investigation, provided
42 that an applicant for a handgun purchase permit who possesses a
43 valid firearms purchaser identification card, or who has previously
44 obtained a handgun purchase permit from the same licensing
45 authority for which the applicant was previously fingerprinted, and
46 who provides other reasonably satisfactory proof of the applicant's
47 identity, need not be fingerprinted again; however, the chief police
48 officer or the superintendent shall proceed to investigate the

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1 application to determine whether or not the applicant has become
2 subject to any of the disabilities set forth in this chapter.

3 f. Granting of permit or identification card; fee; term; renewal;
4 revocation. The application for the permit to purchase a handgun
5 together with a fee of \$25, or the application for the firearms
6 purchaser identification card together with a fee of \$50, shall be
7 delivered or forwarded to the licensing authority who, upon
8 determining that the application is complete, shall investigate the
9 same and, provided the requirements of this section are met, shall
10 grant the permit or the identification card, or both, if application has
11 been made therefor, within 30 days from the date of receipt of the
12 completed application for residents of this State and within 45 days
13 for nonresident applicants. A permit to purchase a handgun shall be
14 valid for a period of 90 days from the date of issuance and may be
15 renewed by the issuing authority for good cause for an additional 90
16 days. A firearms purchaser identification card issued or renewed
17 after the effective date of P.L.2022, c.58 shall expire during the
18 10th calendar year following its date of issuance and on the same
19 calendar day as the person's date of birth.

20 If the date of birth of the firearms purchaser identification card
21 holder does not correspond to a calendar day of the 10th calendar
22 year, the card shall expire on the last day of the birth month of the
23 card holder.

24 A firearms purchaser identification card issued pursuant to this
25 section may be renewed upon filing of a renewal application and
26 payment of the required fee, provided that the holder is not subject
27 to any of the disabilities set forth in subsection c. of this section and
28 complies with all other applicable requirements as set forth in
29 statute and regulation. If an application for renewal of a firearms
30 purchaser identification card is denied, the applicant shall be
31 provided with a written statement of the reasons for the denial. Any
32 person aggrieved by the denial of an application for renewal of a
33 firearms purchaser identification card may request a hearing in the
34 Superior Court of the county in which the person resides if the
35 person is a resident of New Jersey or in the Superior Court of the
36 county in which the person's application was filed if the person is a
37 nonresident. The request for a hearing shall be made in writing
38 within 30 days of the denial of the application for renewal of the
39 firearms purchaser identification card. The applicant shall serve a
40 copy of the request for a hearing upon the chief police officer of the
41 municipality in which the applicant resides, if the person is a
42 resident of New Jersey, and upon the superintendent in all cases.
43 The hearing shall be held and a record made thereof within 60 days
44 of the receipt of the application for a hearing by the judge of the
45 Superior Court. A formal pleading and filing fee shall not be
46 required as a preliminary to a hearing. Appeals from the results of a
47 hearing shall be in accordance with law.

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1 The Administrative Director of the Courts shall coordinate with
2 the superintendent in the development of an electronic filing system
3 to receive requests for hearings and serve the chief police officer
4 and superintendent as required in this section.

5 A firearms purchaser identification card issued prior to the
6 effective date of P.L.2022, c.58 shall not expire.

7 A firearms purchaser identification card shall be void if the
8 holder becomes subject to any of the disabilities set forth in
9 subsection c. of this section, whereupon the card shall be returned
10 within five days by the holder to the superintendent, who shall then
11 advise the licensing authority. Failure of the holder to return the
12 firearms purchaser identification card to the superintendent within
13 the five days shall be an offense under subsection a. of N.J.S.2C:39-
14 10. Any firearms purchaser identification card may be revoked by
15 the Superior Court of the county wherein the card was issued, after
16 hearing upon notice, upon a finding that the holder thereof no
17 longer qualifies for the issuance of the permit. The county
18 prosecutor of any county, the chief police officer of any
19 municipality or any citizen may apply to the court at any time for
20 the revocation of the card.

21 There shall be no conditions or requirements added to the form
22 or content of the application, or required by the licensing authority
23 for the issuance or renewal of a permit or identification card, other
24 than those that are specifically set forth in this chapter.

25 g. Disposition of fees. All fees for permits shall be paid to the
26 State Treasury for deposit into the Victims of Crime Compensation
27 Office account if the permit is issued by the superintendent, to the
28 municipality if issued by the chief police officer, and to the county
29 treasurer if issued by the judge of the Superior Court.

30 h. Form of permit; establishment of a web portal; disposition of
31 the completed information. (1) Except as otherwise provided in
32 paragraph (2) of this subsection, the permit shall be in the form
33 prescribed by the superintendent and shall be issued to the applicant
34 electronically through e-mail or the web portal established or
35 designated for this purpose by the superintendent or in such form or
36 manner as may be authorized by the superintendent. Prior to the
37 time the applicant receives the handgun from the seller, the
38 applicant shall provide to the seller an acknowledgement of the
39 permit in the form required under the process established by the
40 superintendent, and the seller shall complete all of the information
41 required on the web portal. This information shall be forwarded to
42 the superintendent through the web portal, or in such other manner
43 as may be authorized by the superintendent, and to the chief police
44 officer of the municipality in which the purchaser resides, except
45 that in a municipality having no chief police officer, the information
46 shall be forwarded to the superintendent. The purchaser shall retain
47 a copy of the completed information and the seller shall retain a
48 copy of the completed information as a permanent record.

1 A transfer of a handgun between or among immediate family
2 members, law enforcement officers, or collectors of firearms or
3 ammunition as curios or relics shall be conducted via the web portal
4 established or designated by the superintendent, which shall include
5 among other things a certification that the seller and purchaser are
6 in fact immediate family members, law enforcement officers, or
7 collectors of firearms or ammunition as curios or relics.

8 (2) The requirements of this subsection concerning the delivery
9 and form of permit and disposition of copies shall not be applicable
10 when these functions may be completed by utilizing an electronic
11 system as described in paragraph (2) of subsection b. of
12 N.J.S.2C:58-2 or section 5 of P.L.2022, c.55 (C.2C:58-3.3a).

13 i. Restriction on number of firearms person may purchase.
14 Only one handgun shall be purchased or delivered on each permit
15 and no more than one handgun shall be purchased within any 30-
16 day period, but this limitation shall not apply to:

17 (1) a federal, State, or local law enforcement officer or agency
18 purchasing handguns for use by officers in the actual performance
19 of their law enforcement duties;

20 (2) a collector of handguns as curios or relics as defined in Title
21 18, United States Code, section 921 (a) (13) who has in the
22 collector's possession a valid Collector of Curios and Relics License
23 issued by the federal Bureau of Alcohol, Tobacco, Firearms and
24 Explosives;

25 (3) transfers of handguns among licensed retail dealers,
26 registered wholesale dealers and registered manufacturers;

27 (4) transfers of handguns from any person to a licensed retail
28 dealer or a registered wholesale dealer or registered manufacturer;

29 (5) any transaction where the person has purchased a handgun
30 from a licensed retail dealer and has returned that handgun to the
31 dealer in exchange for another handgun within 30 days of the
32 original transaction, provided the retail dealer reports the exchange
33 transaction to the superintendent; or

34 (6) any transaction where the superintendent issues an
35 exemption from the prohibition in this subsection pursuant to the
36 provisions of section 4 of P.L.2009, c.186 (C.2C:58-3.4).

37 The provisions of this subsection shall not be construed to afford
38 or authorize any other exemption from the regulatory provisions
39 governing firearms set forth in chapter 39 and chapter 58 of Title
40 2C of the New Jersey Statutes;

41 A person shall not be restricted as to the number of rifles or
42 shotguns the person may purchase, provided the person possesses a
43 valid firearms purchaser identification card and provided further
44 that the person signs the certification required in subsection b. of
45 this section for each transaction.

46 j. Firearms passing to heirs or legatees. Notwithstanding any
47 other provision of this section concerning the transfer, receipt or
48 acquisition of a firearm, a permit to purchase or a firearms

1 purchaser identification card shall not be required for the passing of
2 a firearm upon the death of an owner thereof to the owner's heir or
3 legatee, whether the same be by testamentary bequest or by the laws
4 of intestacy. The person who shall so receive, or acquire the
5 firearm shall, however, be subject to all other provisions of this
6 chapter. If the heir or legatee of the firearm does not qualify to
7 possess or carry it, the heir or legatee may retain ownership of the
8 firearm for the purpose of sale for a period not exceeding 180 days,
9 or for a further limited period as may be approved by the chief law
10 enforcement officer of the municipality in which the heir or legatee
11 resides or the superintendent, provided that the firearm is in the
12 custody of the chief law enforcement officer of the municipality or
13 the superintendent during that period.

14 k. Sawed-off shotguns. Nothing in this section shall be
15 construed to authorize the purchase or possession of any sawed-off
16 shotgun.

17 l. Nothing in this section and in N.J.S.2C:58-2 shall apply to
18 the sale or purchase of a visual distress signaling device approved
19 by the United States Coast Guard, solely for possession on a private
20 or commercial aircraft or any boat; provided, however, that no
21 person under the age of 18 years shall purchase nor shall any person
22 sell to a person under the age of 18 years a visual distress signaling
23 device.

24 m. The provisions of subsections a. and b. of this section and
25 paragraphs (4) and (5) of subsection a. of N.J.S.2C:58-2 shall not
26 apply to the purchase of firearms by a law enforcement agency for
27 use by law enforcement officers in the actual performance of the
28 officers' official duties, which purchase may be made directly from
29 a manufacturer or from a licensed dealer located in this State or any
30 other state.

31 n. For the purposes of this section, "immediate family" means a
32 spouse, domestic partner as defined in section 3 of P.L.2003, c.246
33 (C.26:8A-3), partner in a civil union couple as defined in section 2
34 of P.L.2006, c.103 (C.37:1-29), parent, stepparent, grandparent,
35 sibling, stepsibling, child, stepchild, and grandchild, as related by
36 blood or by law.

37 o. Registration of handguns owned by new residents. Any
38 person who becomes a resident of this State following the effective
39 date of P.L.2022, c.52 and who transports into this State a firearm
40 that the person owned or acquired while residing in another state
41 shall apply for a firearms purchaser identification card within 60
42 days of becoming a New Jersey resident, and shall register any
43 handgun so transported into this State within 60 days as provided in
44 this subsection.

45 A person who registers a handgun pursuant to this subsection
46 shall complete a registration statement, which shall be in a form
47 prescribed by the superintendent. The information provided in the
48 registration statement shall include, but shall not be limited to, the

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13

1 name and address of the person and the make, model, and serial
2 number of the handgun being registered. Each registration
3 statement shall be signed by the person, and the signature shall
4 constitute a representation of the accuracy of the information
5 contained in the registration statement.

6 The registration statement shall be submitted to the law
7 enforcement agency of the municipality in which the person resides
8 or, if the municipality does not have a municipal law enforcement
9 agency, any State Police station.

10 Within 60 days prior to the effective date of P.L.2022, c.52, the
11 superintendent shall prepare the form of registration statement as
12 described in this subsection and shall provide a suitable supply of
13 statements to each organized full-time municipal police department
14 and each State Police station.

15 A person who fails to apply for a firearms purchaser
16 identification card or register a handgun as required pursuant to this
17 subsection shall be granted 30 days to comply with the provisions
18 of this subsection. If the person does not comply within 30 days,
19 the person shall be liable to a civil penalty of \$250 for a first
20 offense and shall be guilty of a disorderly persons offense for a
21 second or subsequent offense.

22 If a person is in possession of multiple firearms or handguns in
23 violation of this subsection, the person shall be guilty of one
24 offense under this subsection provided the violation is a single
25 event.

26 The civil penalty shall be collected pursuant to the "Penalty
27 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.) in
28 a summary proceeding before the municipal court having
29 jurisdiction. A law enforcement officer having enforcement
30 authority in that municipality may issue a summons for a violation,
31 and may serve and execute all process with respect to the
32 enforcement of this subsection consistent with the Rules of Court.

33 p. A chief police officer or the superintendent may delegate to
34 subordinate officers or employees of the law enforcement agency
35 the responsibilities established pursuant to this section.

36 (cf: P.L.2023, c.177, s.11)

37

38 2. Section 14 of P.L.1979, c.179 (C.2C:58-6.1) is amended to
39 read as follows:

40 14. a. **【No】** A person under the age of **【18】** 21 years shall not
41 purchase, barter or otherwise acquire a firearm **【and no person**
42 under the age of 21 years shall purchase, barter or otherwise acquire
43 **a】** or handgun, unless the person is authorized to possess the
44 handgun in connection with the performance of official duties under
45 the provisions of N.J.S.2C:39-6.

46 b. **【No person under the age of 18 years shall possess, carry,**
47 fire or use a firearm except as provided under paragraphs (1), (2),
48 (3) and (4) of this subsection; and, unless**】** Unless authorized in

1 connection with the performance of official duties under the
2 provisions of N.J.S.2C:39-6, **[no]** a person under the age of 21
3 years shall not possess, carry, fire or use a firearm or handgun
4 except under the following circumstances:

5 (1) In the actual presence or under the direct supervision of **[his**
6 father, mother] the person's parent or guardian, or some other
7 person who holds a permit to carry a handgun or a firearms
8 purchaser identification card, as the case may be; or

9 (2) For the purpose of military drill under the auspices of a
10 legally recognized military organization and under competent
11 supervision; or

12 (3) For the purpose of competition, target practice, instruction,
13 and training in and upon a firing range approved by the governing
14 body of the municipality in which the range is located or the
15 National Rifle Association and which is under competent
16 supervision at the time of such supervision or target practice or
17 instruction and training at any location; or

18 (4) For the purpose of hunting during the regularly designated
19 hunting season, provided that he possesses a valid hunting license
20 and has successfully completed a hunter's safety course taught by a
21 qualified instructor or conservation police officer and possesses a
22 certificate indicating the successful completion of such a course.

23 c. A person who violates this section shall be guilty of a crime
24 of the fourth degree. For purposes of this section the fact that the
25 act would not constitute a crime if committed by an adult shall not
26 be deemed to prohibit or require waiver of family court jurisdiction
27 pursuant to N.J.S.2C:4-11 or to preclude a finding of delinquency
28 under the "New Jersey Code of Juvenile Justice," P.L.1982, c.77
29 (C.2A:4A-20 et seq.), P.L.1982, c.79 (C.2A:4A-60 et seq.),
30 P.L.1982, c.80 (C.2A:4A-76 et seq.) and P.L.1982, c.81
31 (C.2A:4A-70 et seq.).

32 (cf: P.L.2019, c.407, s.3)

33

34 3. (New section) a. A person who is at least 18 years of age
35 and who is authorized to carry a firearm in connection with the
36 performance of official duties under the provisions of N.J.S.2C:39-6
37 or is active duty military or a member of a reserve component of the
38 Armed Forces of the United States or the National Guard of this
39 State may obtain a firearms purchaser identification card pursuant
40 to N.J.S.2C:58-3.

41 b. A person who is at least 18 years of age and obtained a
42 firearms purchaser identification card or owned firearms prior to the
43 effective date of P.L. , c. (pending before the Legislature as this
44 bill) may continue to purchase and possess firearms following the
45 effective date of P.L. , c. (pending before the Legislature as this
46 bill).

1 4. This act shall take effect immediately.

2

3

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STATEMENT

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6 This bill increases from 18 to 21 the age at which a person is
7 eligible to receive a firearms purchaser identification card used to
8 purchase shotguns and rifles. Under current law, a person 18 years
9 of age and older may obtain a firearms purchaser identification card
10 and a handgun purchaser is required to be at least 21 years old.

11 Under the bill, a person under the age of 21 would be allowed to
12 possess a handgun, rifle, or shot gun under the following
13 circumstances:

14 (1) in the actual presence or under the direct supervision of a
15 parent or guardian, or some other person who holds a permit to
16 carry a handgun or a firearms purchaser identification card;

17 (2) for the purpose of military drill under the auspices of a
18 legally recognized military organization and under competent
19 supervision;

20 (3) for the purpose of competition, target practice, instruction,
21 and training in and upon a firing range approved by the governing
22 body of the municipality in which the range is located or the
23 National Rifle Association and which is under competent
24 supervision at the time of such supervision or target practice or
25 instruction and training at any location; or

26 (4) for the purpose of hunting during the regularly designated
27 hunting season, provided that the person possesses a valid hunting
28 license and has successfully completed a hunter's safety course
29 taught by a qualified instructor or conservation officer and
30 possesses a certificate indicating the successful completion of such
31 a course.

32 The bill permits active duty military or a reserve component of
33 the Armed Forces of the United States or the National Guard of this
34 State to obtain a firearms purchaser identification card while under
35 the age of 21.

36 The bill preserves current law allowing minors to obtain a youth
37 hunting license and apprentice firearm hunting license. Persons
38 between the ages of 18 and 21 who obtained a firearms purchaser
39 identification card prior to the bill's effective date would also be
40 permitted to maintain the card and continue to purchase and possess
41 shotguns and rifles.