

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3717

STATE OF NEW JERSEY

DATED: FEBRUARY 13, 2013

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 3717.

Assembly Bill No. 3717 requires the State to submit certain mental health records to the National Instant Criminal Background Check System (NICS).

The United States Department of Justice established NICS for federally licensed gun dealers to conduct background checks on prospective gun purchasers. NICS attains or accesses records from state police, local police and other agencies to determine if the prospective gun purchaser is prohibited from owning a firearm. NICS relies on states to submit this information. As a result, if the states do not submit the information, the NICS database will have incomplete or inaccurate records, thereby allowing some individuals to purchase guns who should be prohibited from doing so.

This State has begun the process of implementing an electronic system to submit mental health records to NICS. However, submission of these records is not mandatory under current State law. The provisions of this bill would make the submission mandatory.