

[First Reprint]

**ASSEMBLY, No. 5454**

**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

INTRODUCED MAY 23, 2019

**Sponsored by:**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

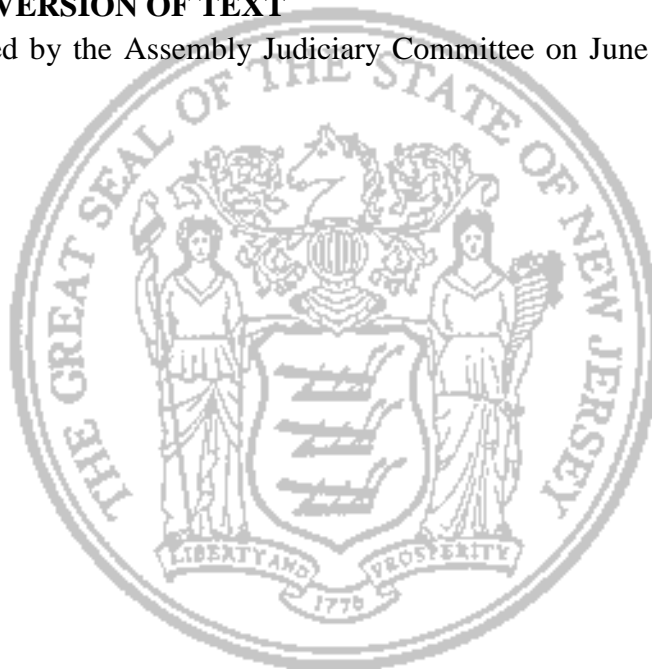
**Assemblyman McKeon and Assemblywoman Jasey**

**SYNOPSIS**

Criminalizes purchase, transfer, or possession of certain weapons and ammunition by persons convicted of certain crimes; establishes crime of transferring or possessing firearm without serial number.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Judiciary Committee on June 13, 2019, with amendments.



**(Sponsorship Updated As Of: 6/21/2019)**

1 AN ACT concerning purchase and possession of certain weapons  
2 and ammunition and amending various parts of the statutory law.

3

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

6

7 1. Section 6 of P.L.1979, c.179 (C.2C:39-7) is amended to read  
8 as follows:

9 6. Certain Persons Not to Have Weapons or Ammunition.

10 a. Except as provided in subsection b. of this section, any  
11 person, having been convicted in this State or elsewhere of the  
12 crime, or an attempt or conspiracy to commit the crime, of  
13 aggravated assault, arson, burglary, escape, extortion, homicide,  
14 kidnapping, robbery, aggravated sexual assault, sexual assault, bias  
15 intimidation in violation of N.J.S.2C:16-1, carjacking in violation of  
16 section 1 of P.L.1993, c.221 (C.2C:15-2), gang criminality in  
17 violation of section 1 of P.L.2007, c.341 (C.2C:33-29), racketeering  
18 in violation of N.J.S.2C:41-2, terroristic threats in violation of  
19 N.J.S.2C:12-3, unlawful possession of a machine gun in violation of  
20 subsection a. of N.J.S.2C:39-5, unlawful possession of a handgun in  
21 violation of paragraph (1) of subsection b. of N.J.S.2C:39-5,  
22 unlawful possession of an assault firearm in violation of subsection  
23 f. of N.J.S.2C:39-5, <sup>1</sup>leader of firearms trafficking network in  
24 violation of section 1 of P.L.1995, c.405 (C.2C:39-16),<sup>1</sup>or  
25 endangering the welfare of a child pursuant to N.J.S.2C:24-4,  
26 whether or not armed with or having in [his] the person's  
27 possession any weapon enumerated in subsection r. of N.J.S.2C:39-  
28 1, or any person convicted of a crime, or an attempt or conspiracy  
29 to commit a crime, pursuant to the provisions of N.J.S.2C:39-3,  
30 N.J.S.2C:39-4 or N.J.S.2C:39-9, or any person who has ever been  
31 committed for a mental disorder to any hospital, mental institution  
32 or sanitarium unless [he] the person possesses a certificate of a  
33 medical doctor or psychiatrist licensed to practice in New Jersey or  
34 other satisfactory proof that [he] the person is no longer suffering  
35 from a mental disorder which interferes with or handicaps [him]  
36 the person in the handling of a firearm, or any person who has been  
37 convicted of [other than a disorderly persons or petty disorderly  
38 persons offense] an offense, or an attempt or conspiracy to commit  
39 an offense, for the unlawful use, possession or sale of a controlled  
40 dangerous substance as defined in N.J.S.2C:35-2, other than a  
41 disorderly persons or petty disorderly persons offense, who  
42 purchases, owns, possesses or controls any of the [said] specified  
43 weapons or any ammunition as defined in section 2 of P.L.2018,  
44 c.35 (C.2C:58-21) is guilty of a crime of the fourth degree.

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AJU committee amendments adopted June 13, 2019.

1       b. (1) A person having been convicted in this State or  
2 elsewhere of the crime, or an attempt or conspiracy to commit the  
3 crime, of aggravated assault, arson, burglary, escape, extortion,  
4 homicide, kidnapping, robbery, aggravated sexual assault, sexual  
5 assault, bias intimidation in violation of N.J.S.2C:16-1, carjacking  
6 in violation of section 1 of P.L.1993, c.221 (C.2C:15-2), gang  
7 criminality in violation of section 1 of P.L.2007, c.341 (C.2C:33-  
8 29), racketeering in violation of N.J.S.2C:41-2, terroristic threats in  
9 violation of N.J.S.2C:12-3, unlawful possession of a machine gun in  
10 violation of subsection a. of N.J.S.2C:39-5, unlawful possession of  
11 a handgun in violation of paragraph (1) of subsection b. of  
12 N.J.S.2C:39-5, unlawful possession of an assault firearm in  
13 violation of subsection f. of N.J.S.2C:39-5, leader of firearms  
14 trafficking network in violation of section 1 of P.L.1995, c.405  
15 (C.2C:39-16),<sup>1</sup> endangering the welfare of a child pursuant to  
16 N.J.S.2C:24-4, stalking pursuant to P.L.1992, c.209 (C.2C:12-10)  
17 or a crime, or an attempt or conspiracy to commit a crime,  
18 involving domestic violence as defined in section 3 of P.L.1991,  
19 c.261 (C.2C:25-19), whether or not armed with or having in **[his]**  
20 the person's possession a weapon enumerated in subsection r. of  
21 N.J.S.2C:39-1, or a person having been convicted of a crime, or an  
22 attempt or conspiracy to commit a crime, pursuant to the provisions  
23 of N.J.S.2C:35-3 through N.J.S.2C:35-6, inclusive; section 1 of  
24 P.L.1987, c.101 (C.2C:35-7); N.J.S.2C:35-11; N.J.S.2C:39-3;  
25 N.J.S.2C:39-4; or N.J.S.2C:39-9 who purchases, owns, possesses or  
26 controls a firearm is guilty of a crime of the second degree and  
27 upon conviction thereof, the person shall be sentenced to a term of  
28 imprisonment by the court. The term of imprisonment shall include  
29 the imposition of a minimum term, which shall be fixed at five  
30 years, during which the defendant shall be ineligible for parole. If  
31 the defendant is sentenced to an extended term of imprisonment  
32 pursuant to N.J.S.2C:43-7, the extended term of imprisonment shall  
33 include the imposition of a minimum term, which shall be fixed at,  
34 or between, one-third and one-half of the sentence imposed by the  
35 court or five years, whichever is greater, during which the  
36 defendant shall be ineligible for parole.

37       (2) A person having been convicted in this State or elsewhere of  
38 a disorderly persons offense involving domestic violence, whether  
39 or not armed with or having in **[his]** the person's possession a  
40 weapon enumerated in subsection r. of N.J.S.2C:39-1, who  
41 purchases, owns, possesses or controls a firearm or ammunition is  
42 guilty of a crime of the third degree.

43       (3) A person whose firearm is seized pursuant to the "Prevention  
44 of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et  
45 seq.) and whose firearm has not been returned, or who is subject to  
46 a court order prohibiting the possession of firearms issued pursuant  
47 to the "Prevention of Domestic Violence Act of 1991," P.L.1991,  
48 c.261 (C.2C:25-17 et seq.) who purchases, owns, possesses or

1 controls a firearm or ammunition is guilty of a crime of the third  
2 degree, except that the provisions of this paragraph shall not apply  
3 to any law enforcement officer while actually on duty, or to any  
4 member of the Armed Forces of the United States or member of the  
5 National Guard while actually on duty or traveling to or from an  
6 authorized place of duty.

7 (4) A person who is subject to a court order prohibiting the  
8 custody, control, ownership, purchase, possession, or receipt of a  
9 firearm or ammunition issued pursuant to the "Extreme Risk  
10 Protective Order Act of 2018," P.L.2018, c.35 (C.2C:58-20 et al.)  
11 who purchases, acquires, owns, possesses, or controls a firearm or  
12 ammunition is guilty of a crime of the third degree.

13 c. Whenever any person shall have been convicted in another  
14 state, territory, commonwealth or other jurisdiction of the United  
15 States, or any country in the world, in a court of competent  
16 jurisdiction, of a crime, or an attempt or conspiracy to commit a  
17 crime, which in **【said】** the other jurisdiction or country is  
18 comparable to one of the crimes enumerated in subsection a. or b.  
19 of this section, then that person shall be subject to the provisions of  
20 this section.

21 (cf: P.L.2018, c.34, s.13)

22

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

24 2C:39-3. Prohibited Weapons and Devices.

25 a. Destructive devices. Any person who knowingly has in his  
26 possession any destructive device is guilty of a crime of the third  
27 degree.

28 b. Sawed-off shotguns. Any person who knowingly has in his  
29 possession any sawed-off shotgun is guilty of a crime of the third  
30 degree.

31 c. Silencers. Any person who knowingly has in his possession  
32 any firearm silencer is guilty of a crime of the fourth degree.

33 d. Defaced firearms. Any person who knowingly has in his  
34 possession any firearm which has been defaced, except an antique  
35 firearm or an antique handgun, is guilty of a crime of the fourth  
36 degree.

37 e. Certain weapons. Any person who knowingly has in his  
38 possession any gravity knife, switchblade knife, dagger, dirk,  
39 stiletto, billy, blackjack, metal knuckle, sandclub, slingshot, cestus  
40 or similar leather band studded with metal filings or razor blades  
41 imbedded in wood, ballistic knife, without any explainable lawful  
42 purpose, is guilty of a crime of the fourth degree.

43 f. Dum-dum or armor piercing ammunition. (1) Any person,  
44 other than a law enforcement officer or persons engaged in  
45 activities pursuant to subsection f. of N.J.S.2C:39-6, who  
46 knowingly has in his possession any hollow nose or dum-dum  
47 bullet, or (2) any person, other than a collector of firearms or  
48 ammunition as curios or relics as defined in Title 18, United States  
49 Code, section 921 (a) (13) and has in his possession a valid

1 Collector of Curios and Relics License issued by the Bureau of  
2 Alcohol, Tobacco, Firearms, and Explosives, who knowingly has in  
3 his possession any armor piercing ammunition, as defined in  
4 subsection gg. of N.J.S.2C:39-1, is guilty of a crime of the fourth  
5 degree. For purposes of this section, a collector may possess not  
6 more than three examples of each distinctive variation of the  
7 ammunition described above. A distinctive variation includes a  
8 different head stamp, composition, design, or color.

9 g. Exceptions. (1) (a) Nothing in subsection a., b., c., d., e.,  
10 f., j. or k. of this section shall apply to any member of the Armed  
11 Forces of the United States or the National Guard, or except as  
12 otherwise provided, to any law enforcement officer while actually  
13 on duty or traveling to or from an authorized place of duty,  
14 provided that his possession of the prohibited weapon or device has  
15 been duly authorized under the applicable laws, regulations or  
16 military or law enforcement orders.

17 (b) Nothing in subsection j. of this section shall apply to a law  
18 enforcement officer who possesses and carries while off-duty a  
19 large capacity ammunition magazine capable of holding not more  
20 than 17 rounds of ammunition that can be fed continuously and  
21 directly into a semi-automatic firearm.

22 (c) Notwithstanding subparagraph (b) of this paragraph,  
23 subsection j. of this section shall not apply to a law enforcement  
24 officer who possesses and carries while off-duty a large capacity  
25 ammunition magazine capable of holding more than 17 rounds of  
26 ammunition that can be fed continuously and directly into a semi-  
27 automatic firearm provided the large capacity ammunition magazine  
28 is used with a service firearm issued to the officer by the officer's  
29 employer for use in the officer's official duties.

30 (d) Nothing in subsection h. of this section shall apply to any  
31 law enforcement officer who is exempted from the provisions of  
32 that subsection by the Attorney General. Nothing in this section  
33 shall apply to the possession of any weapon or device by a law  
34 enforcement officer who has confiscated, seized or otherwise taken  
35 possession of said weapon or device as evidence of the commission  
36 of a crime or because he believed it to be possessed illegally by the  
37 person from whom it was taken, provided that said law enforcement  
38 officer promptly notifies his superiors of his possession of such  
39 prohibited weapon or device.

40 (2) (a) Nothing in paragraph (1) of subsection f. [(1) of this  
41 section shall be construed to prevent a person from keeping such  
42 ammunition at his dwelling, premises or other land owned or  
43 possessed by him, or from carrying such ammunition from the place  
44 of purchase to said dwelling or land, nor shall paragraph (1) of  
45 subsection f. [(1) of this section be construed to prevent any  
46 licensed retail or wholesale firearms dealer from possessing such  
47 ammunition at its licensed premises, provided that the seller of any  
48 such ammunition shall maintain a record of the name, age and place

1 of residence of any purchaser who is not a licensed dealer, together  
2 with the date of sale and quantity of ammunition sold.

3 (b) Nothing in paragraph (1) of subsection f. [(1)] of this  
4 section shall be construed to prevent a designated employee or  
5 designated licensed agent for a nuclear power plant under the  
6 license of the Nuclear Regulatory Commission from possessing  
7 hollow nose ammunition while in the actual performance of his  
8 official duties, if the federal licensee certifies that the designated  
9 employee or designated licensed agent is assigned to perform site  
10 protection, guard, armed response or armed escort duties and is  
11 appropriately trained and qualified, as prescribed by federal  
12 regulation, to perform those duties.

13 (3) Nothing in paragraph (2) of subsection f. or in subsection j.  
14 of this section shall be construed to prevent any licensed retail or  
15 wholesale firearms dealer from possessing that ammunition or large  
16 capacity ammunition magazine at its licensed premises for sale or  
17 disposition to another licensed dealer, the Armed Forces of the  
18 United States or the National Guard, or to a law enforcement  
19 agency, provided that the seller maintains a record of any sale or  
20 disposition to a law enforcement agency. The record shall include  
21 the name of the purchasing agency, together with written  
22 authorization of the chief of police or highest ranking official of the  
23 agency, the name and rank of the purchasing law enforcement  
24 officer, if applicable, and the date, time and amount of ammunition  
25 sold or otherwise disposed. A copy of this record shall be forwarded  
26 by the seller to the Superintendent of the Division of State Police  
27 within 48 hours of the sale or disposition.

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

31 (5) Nothing in subsection c. of this section shall be construed to  
32 apply to any person who is specifically identified in a special deer  
33 management permit issued by the Division of Fish and Wildlife to  
34 utilize a firearm silencer as part of an alternative deer control  
35 method implemented in accordance with a special deer management  
36 permit issued pursuant to section 4 of P.L.2000, c.46 (C.23:4-42.6),  
37 while the person is in the actual performance of the permitted  
38 alternative deer control method and while going to and from the  
39 place where the permitted alternative deer control method is being  
40 utilized. This exception shall not, however, otherwise apply to any  
41 person to authorize the purchase or possession of a firearm silencer.

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

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

1 j. Any person who knowingly has in his possession a large  
2 capacity ammunition magazine is guilty of a crime of the fourth  
3 degree unless the person has registered: (1) an assault firearm  
4 pursuant to section 11 of P.L.1990, c.32 (C.2C:58-12) and the  
5 magazine is maintained and used in connection with participation in  
6 competitive shooting matches sanctioned by the Director of Civilian  
7 Marksmanship of the United States Department of the Army; or

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

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

17 l. Bump stock or trigger crank. Any person who knowingly  
18 possesses a bump stock as defined in subsection ee. of N.J.S.2C:39-  
19 1 or a trigger crank as defined in subsection ff. of N.J.S.2C:39-1,  
20 regardless of whether the person is in possession of a firearm, is  
21 guilty of a crime of the third degree.

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

30 Notwithstanding the provisions of N.J.S.2C:1-8 or any other  
31 provision of law, a conviction arising out of this subsection shall  
32 not merge with a conviction for possessing an assault firearm in  
33 violation of subsection f. of N.J.S.2C:39-5 or a machine gun in  
34 violation of subsection a. of N.J.S.2C:39-5 and a separate sentence  
35 shall be imposed upon each conviction. Notwithstanding the  
36 provisions of N.J.S.2C:44-5 or any other provisions of law, the  
37 sentence imposed pursuant to this subsection shall be served  
38 consecutively to that imposed for unlawfully possessing an assault  
39 firearm in violation of subsection f. of N.J.S.2C:39-5.

40 n. Firearms without a serial number. Any person who  
41 knowingly possesses a firearm manufactured or otherwise  
42 assembled using a firearm frame or firearm receiver as defined in  
43 subsection k. of N.J.S.2C:39-9 which is not imprinted with a serial  
44 number registered with a federally licensed manufacturer including,  
45 but not limited to, a firearm manufactured or otherwise assembled  
46 from parts purchased or otherwise obtained in violation of  
47 subsection k. of N.J.S.2C:39-9, is guilty of a crime of the third  
48 degree.

49 (cf: P.L.2018, c.161, s.1)

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

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

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

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

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

15       d. Weapons. Any person who manufactures, causes to be  
16 manufactured, transports, ships, sells or disposes of any weapon,  
17 including gravity knives, switchblade knives, ballistic knives,  
18 daggers, dirks, stilettos, billies, blackjacks, metal knuckles,  
19 sandclubs, slingshots, cesti or similar leather bands studded with  
20 metal filings, or, except as otherwise provided in subsection i. of  
21 this section, in the case of firearms if he is not licensed or registered  
22 to do so as provided in chapter 58 of Title 2C of the New Jersey  
23 Statutes, is guilty of a crime of the fourth degree. Any person who  
24 manufactures, causes to be manufactured, transports, ships, sells or  
25 disposes of any weapon or other device which projects, releases or  
26 emits tear gas or other substances intended to produce temporary  
27 physical discomfort or permanent injury through being vaporized or  
28 otherwise dispensed in the air, which is intended to be used for any  
29 purpose other than for authorized military or law enforcement  
30 purposes by duly authorized military or law enforcement personnel  
31 or the device is for the purpose of personal self-defense, is pocket-  
32 sized and contains not more than three-quarters of an ounce of  
33 chemical substance not ordinarily capable of lethal use or of  
34 inflicting serious bodily injury, or other than to be used by any  
35 person permitted to possess such weapon or device under the  
36 provisions of subsection d. of N.J.S.2C:39-5, which is intended for  
37 use by financial and other business institutions as part of an  
38 integrated security system, placed at fixed locations, for the  
39 protection of money and property, by the duly authorized personnel  
40 of those institutions, is guilty of a crime of the fourth degree.

41       e. Defaced firearms. Any person who defaces any firearm is  
42 guilty of a crime of the third degree. Any person who knowingly  
43 buys, receives, disposes of or conceals a defaced firearm, except an  
44 antique firearm or an antique handgun, is guilty of a crime of the  
45 fourth degree.

46       f. (1) Any person who manufactures, causes to be  
47 manufactured, transports, ships, sell, or disposes of any armor  
48 piercing ammunition, as defined in subsection gg. of N.J.S.2C:39-1,  
49 which is intended to be used for any purpose other than for



1 authorized military or law enforcement purposes by duly authorized  
2 military or law enforcement personnel, is guilty of a crime of the  
3 fourth degree.

4 (2) Nothing in this subsection shall be construed to prevent a  
5 licensed collector of ammunition as defined in paragraph (2) of  
6 subsection f. of N.J.S.2C:39-3 from transporting the bullets defined  
7 in paragraph (1) of this subsection from (a) any licensed retail or  
8 wholesale firearms dealer's place of business to the collector's  
9 dwelling, premises, or other land owned or possessed by him, or (b)  
10 to or from the collector's dwelling, premises or other land owned or  
11 possessed by him to any gun show for the purposes of display, sale,  
12 trade, or transfer between collectors, or (c) to or from the collector's  
13 dwelling, premises or other land owned or possessed by him to any  
14 rifle or pistol club organized in accordance with the rules prescribed  
15 by the National Board for the Promotion of Rifle Practice; provided  
16 that the club has filed a copy of its charter with the superintendent  
17 of the State Police and annually submits a list of its members to the  
18 superintendent, and provided further that the ammunition being  
19 transported shall be carried not loaded in any firearm and contained  
20 in a closed and fastened case, gun box, or locked in the trunk of the  
21 automobile in which it is being transported, and the course of travel  
22 shall include only such deviations as are reasonably necessary under  
23 the circumstances.

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

28 h. Large capacity ammunition magazines. Any person who  
29 manufactures, causes to be manufactured, transports, ships, sells or  
30 disposes of a large capacity ammunition magazine which is  
31 intended to be used for any purpose other than for authorized  
32 military or law enforcement purposes by duly authorized military or  
33 law enforcement personnel is guilty of a crime of the fourth degree.

34 i. Transporting firearms into this State for an unlawful sale or  
35 transfer. Any person who knowingly transports, ships or otherwise  
36 brings into this State any firearm for the purpose of unlawfully  
37 selling, transferring, giving, assigning or otherwise disposing of that  
38 firearm to another individual is guilty of a crime of the second  
39 degree. Any motor vehicle used by a person to transport, ship, or  
40 otherwise bring a firearm into this State for unlawful sale or transfer  
41 shall be subject to forfeiture in accordance with the provisions of  
42 N.J.S.2C:64-1 et seq.; provided however, this forfeiture provision  
43 shall not apply to innocent owners, nor shall it affect the rights of a  
44 holder of a valid lien.

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

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

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

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

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

12 j. Any person who manufactures, causes to be manufactured,  
13 transports, ships, sells, or disposes of a bump stock as defined in  
14 subsection ee. of N.J.S.2C:39-1 or a trigger crank as defined in  
15 subsection ff. of N.J.S.2C:39-1 is guilty of a crime of the third  
16 degree.

17 k. Purchasing firearm parts to manufacture a firearm without a  
18 serial number. In addition to any other criminal penalties provided  
19 under law, a person who, with the purpose to manufacture or  
20 otherwise assemble a firearm and without being registered or  
21 licensed do so as provided in chapter 58 of Title 2C of the New  
22 Jersey Statutes, purchases or otherwise obtains separately or as part  
23 of a kit a firearm frame or firearm receiver which is not imprinted  
24 with a serial number registered with a federally licensed  
25 manufacturer or any combination of parts from which a firearm  
26 without a serial number may be readily manufactured or otherwise  
27 assembled, but which does not have the capacity to function as a  
28 firearm unless manufactured or otherwise assembled is guilty of a  
29 crime of the third degree. Notwithstanding the provisions of  
30 N.J.S.2C:1-8 or any other law, a conviction under this subsection  
31 shall not merge with a conviction for any other criminal offense and  
32 the court shall impose separate sentences upon a violation of this  
33 subsection and any other criminal offense.

34 As used in this subsection, "firearm frame or firearm receiver"  
35 means the part of a firearm that provides housing for the firearm's  
36 internal components, such as the hammer, bolt or breechblock,  
37 action, and firing mechanism, and includes without limitation any  
38 object or part which is not a firearm frame or receiver in finished  
39 form but is designed or intended to be used for that purpose and  
40 which may readily be made into a firearm frame or receiver through  
41 milling or other means.

42 l. Manufacturing or facilitating the manufacture of a firearm  
43 using a three-dimensional printer. In addition to any other criminal  
44 penalties provided under law it is a third degree crime for:

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

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

9 As used in this subsection: "three-dimensional printer" means a  
10 computer or computer-driven machine or device capable of  
11 producing a three-dimensional object from a digital model; and  
12 "distribute" means to sell, or to manufacture, give, provide, lend,  
13 trade, mail, deliver, publish, circulate, disseminate, present, exhibit,  
14 display, share, advertise, offer, or make available via the Internet or  
15 by any other means, whether for pecuniary gain or not, and includes  
16 an agreement or attempt to distribute.

17 m. Covert or undetectable firearms. Any person who  
18 manufactures, causes to be manufactured, transports, ships, sells or  
19 disposes of any covert firearm as defined in subsection hh. of  
20 N.J.S.2C:39-1 or any undetectable firearm as defined in subsection  
21 ii. of N.J.S.2C:39-1 is guilty of a crime of the third degree.

22 n. Transporting a manufactured firearm without a serial  
23 number. In addition to any other criminal penalties provided under  
24 law, a person who transports, ships, sells, or disposes of a firearm  
25 manufactured or otherwise assembled using a firearm frame or  
26 firearm receiver as defined in subsection k. of this section which is  
27 not imprinted with a serial number registered with a federally  
28 licensed manufacturer, including but not limited to a firearm  
29 manufactured or otherwise assembled from parts purchased or  
30 otherwise obtained in violation of subsection k. of this section, is  
31 guilty of a crime of the third degree.

32 (cf: P.L.2018, c.138, s.3)

33

34 4. This act shall take effect immediately.