

P.L. 2018, CHAPTER 39, *approved June 13, 2018*  
Assembly, No. 2761 (*Third Reprint*)

1 AN ACT concerning firearms and amending N.J.S.2C:39-1<sup>1</sup>,  
2 N.J.S.2C:39-3, and N.J.S.2C:39-12,<sup>1</sup> and supplementing chapter  
3 39 of 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 <sup>1</sup>**[**1. N.J.S.2C:39-1 is amended to read as follows:  
9

10 2C:39-1. Definitions. The following definitions apply to this  
chapter and to chapter 58:

11 a. "Antique firearm" means any rifle or shotgun and "antique  
12 cannon" means a destructive device defined in paragraph (3) of  
13 subsection c. of this section, if the rifle, shotgun or destructive  
14 device, as the case may be, is incapable of being fired or  
15 discharged, or which does not fire fixed ammunition, regardless of  
16 date of manufacture, or was manufactured before 1898 for which  
17 cartridge ammunition is not commercially available, and is  
18 possessed as a curiosity or ornament or for its historical  
19 significance or value.

20 b. "Deface" means to remove, deface, cover, alter or destroy  
21 the name of the maker, model designation, manufacturer's serial  
22 number or any other distinguishing identification mark or number  
23 on any firearm.

24 c. "Destructive device" means any device, instrument or object  
25 designed to explode or produce uncontrolled combustion, including  
26 (1) any explosive or incendiary bomb, mine or grenade; (2) any  
27 rocket having a propellant charge of more than four ounces or any  
28 missile having an explosive or incendiary charge of more than one-  
29 quarter of an ounce; (3) any weapon capable of firing a projectile of  
30 a caliber greater than 60 caliber, except a shotgun or shotgun  
31 ammunition generally recognized as suitable for sporting purposes;  
32 (4) any Molotov cocktail or other device consisting of a breakable  
33 container containing flammable liquid and having a wick or similar  
34 device capable of being ignited. The term does not include any  
35 device manufactured for the purpose of illumination, distress  
36 signaling, line-throwing, safety or similar purposes.

**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 AAP committee amendments adopted March 22, 2018.

<sup>2</sup>Senate SLP committee amendments adopted April 16, 2018.

<sup>3</sup>Senate SBA committee amendments adopted May 21, 2018.

- 1 d. "Dispose of" means to give, give away, lease, loan, keep for  
2 sale, offer, offer for sale, sell, transfer, or otherwise transfer  
3 possession.
- 4 e. "Explosive" means any chemical compound or mixture that  
5 is commonly used or is possessed for the purpose of producing an  
6 explosion and which contains any oxidizing and combustible  
7 materials or other ingredients in such proportions, quantities or  
8 packing that an ignition by fire, by friction, by concussion or by  
9 detonation of any part of the compound or mixture may cause such  
10 a sudden generation of highly heated gases that the resultant  
11 gaseous pressures are capable of producing destructive effects on  
12 contiguous objects. The term shall not include small arms  
13 ammunition, or explosives in the form prescribed by the official  
14 United States Pharmacopoeia.
- 15 f. "Firearm" means any handgun, rifle, shotgun, machine gun,  
16 automatic or semi-automatic rifle, or any gun, device or instrument  
17 in the nature of a weapon from which may be fired or ejected any  
18 solid projectable ball, slug, pellet, missile or bullet, or any gas,  
19 vapor or other noxious thing, by means of a cartridge or shell or by  
20 the action of an explosive or the igniting of flammable or explosive  
21 substances. It shall also include, without limitation, any firearm  
22 which is in the nature of an air gun, spring gun or pistol or other  
23 weapon of a similar nature in which the propelling force is a spring,  
24 elastic band, carbon dioxide, compressed or other gas or vapor, air  
25 or compressed air, or is ignited by compressed air, and ejecting a  
26 bullet or missile smaller than three-eighths of an inch in diameter,  
27 with sufficient force to injure a person.
- 28 g. "Firearm silencer" means any instrument, attachment,  
29 weapon or appliance for causing the firing of any gun, revolver,  
30 pistol or other firearm to be silent, or intended to lessen or muffle  
31 the noise of the firing of any gun, revolver, pistol or other firearm.
- 32 h. "Gravity knife" means any knife which has a blade which is  
33 released from the handle or sheath thereof by the force of gravity or  
34 the application of centrifugal force.
- 35 **[I.]** i. "Machine gun" means any firearm, mechanism or  
36 instrument not requiring that the trigger be pressed for each shot  
37 and having a reservoir, belt or other means of storing and carrying  
38 ammunition which can be loaded into the firearm, mechanism or  
39 instrument and fired therefrom.
- 40 j. "Manufacturer" means any person who receives or obtains  
41 raw materials or parts and processes them into firearms or finished  
42 parts of firearms, except a person who exclusively processes grips,  
43 stocks and other nonmetal parts of firearms. The term does not  
44 include a person who repairs existing firearms or receives new and  
45 used raw materials or parts solely for the repair of existing firearms.
- 46 k. "Handgun" means any pistol, revolver or other firearm  
47 originally designed or manufactured to be fired by the use of a  
48 single hand.

1       l. "Retail dealer" means any person including a gunsmith,  
2 except a manufacturer or a wholesale dealer, who sells, transfers or  
3 assigns for a fee or profit any firearm or parts of firearms or  
4 ammunition which he has purchased or obtained with the intention,  
5 or for the purpose, of reselling or reassigning to persons who are  
6 reasonably understood to be the ultimate consumers, and includes  
7 any person who is engaged in the business of repairing firearms or  
8 who sells any firearm to satisfy a debt secured by the pledge of a  
9 firearm.

10       m. "Rifle" means any firearm designed to be fired from the  
11 shoulder and using the energy of the explosive in a fixed metallic  
12 cartridge to fire a single projectile through a rifled bore for each  
13 single pull of the trigger.

14       n. "Shotgun" means any firearm designed to be fired from the  
15 shoulder and using the energy of the explosive in a fixed shotgun  
16 shell to fire through a smooth bore either a number of ball shots or a  
17 single projectile for each pull of the trigger, or any firearm designed  
18 to be fired from the shoulder which does not fire fixed ammunition.

19       o. "Sawed-off shotgun" means any shotgun having a barrel or  
20 barrels of less than 18 inches in length measured from the breech to  
21 the muzzle, or a rifle having a barrel or barrels of less than 16  
22 inches in length measured from the breech to the muzzle, or any  
23 firearm made from a rifle or a shotgun, whether by alteration, or  
24 otherwise, if such firearm as modified has an overall length of less  
25 than 26 inches.

26       p. "Switchblade knife" means any knife or similar device  
27 which has a blade which opens automatically by hand pressure  
28 applied to a button, spring or other device in the handle of the knife.

29       q. "Superintendent" means the Superintendent of the State  
30 Police.

31       r. "Weapon" means anything readily capable of lethal use or of  
32 inflicting serious bodily injury. The term includes, but is not  
33 limited to, all (1) firearms, even though not loaded or lacking a clip  
34 or other component to render them immediately operable; (2)  
35 components which can be readily assembled into a weapon; (3)  
36 gravity knives, switchblade knives, daggers, dirks, stilettos, or other  
37 dangerous knives, billies, blackjacks, bludgeons, metal knuckles,  
38 sandclubs, slingshots, cesti or similar leather bands studded with  
39 metal filings or razor blades imbedded in wood; and (4) stun guns;  
40 and any weapon or other device which projects, releases, or emits  
41 tear gas or any other substance intended to produce temporary  
42 physical discomfort or permanent injury through being vaporized or  
43 otherwise dispensed in the air.

44       s. "Wholesale dealer" means any person, except a  
45 manufacturer, who sells, transfers, or assigns firearms, or parts of  
46 firearms, to persons who are reasonably understood not to be the  
47 ultimate consumers, and includes persons who receive finished  
48 parts of firearms and assemble them into completed or partially

1 completed firearms, in furtherance of such purpose, except that it  
2 shall not include those persons dealing exclusively in grips, stocks  
3 and other nonmetal parts of firearms.

4 t. "Stun gun" means any weapon or other device which emits  
5 an electrical charge or current intended to temporarily or  
6 permanently disable a person.

7 u. "Ballistic knife" means any weapon or other device capable  
8 of lethal use and which can propel a knife blade.

9 v. "Imitation firearm" means an object or device reasonably  
10 capable of being mistaken for a firearm.

11 w. "Assault firearm" means:

12 (1) The following firearms:

13 Algimec AGM1 type

14 Any shotgun with a revolving cylinder such as the "Street  
15 Sweeper" or "Striker 12"

16 Armalite AR-180 type

17 Australian Automatic Arms SAR

18 Avtomat Kalashnikov type semi-automatic firearms

19 Beretta AR-70 and BM59 semi-automatic firearms

20 Bushmaster Assault Rifle

21 Calico M-900 Assault carbine and M-900

22 CETME G3

23 Chartered Industries of Singapore SR-88 type

24 Colt AR-15 and CAR-15 series

25 Daewoo K-1, K-2, Max 1 and Max 2, AR 100 types

26 Demro TAC-1 carbine type

27 Encom MP-9 and MP-45 carbine types

28 FAMAS MAS223 types

29 FN-FAL, FN-LAR, or FN-FNC type semi-automatic firearms

30 Franchi SPAS 12 and LAW 12 shotguns

31 G3SA type

32 Galil type Heckler and Koch HK91, HK93, HK94, MP5, PSG-1

33 Intratec TEC 9 and 22 semi-automatic firearms

34 M1 carbine type

35 M14S type

36 MAC 10, MAC 11, MAC 11-9mm carbine type firearms

37 PJK M-68 carbine type

38 Plainfield Machine Company Carbine

39 Ruger K-Mini-14/5F and Mini-14/5RF

40 SIG AMT, SIG 550SP, SIG 551SP, SIG PE-57 types

41 SKS with detachable magazine type

42 Spectre Auto carbine type

43 Springfield Armory BM59 and SAR-48 type

44 Sterling MK-6, MK-7 and SAR types

45 Steyr A.U.G. semi-automatic firearms

46 USAS 12 semi-automatic type shotgun

47 Uzi type semi-automatic firearms

48 Valmet M62, M71S, M76, or M78 type semi-automatic firearms

1 Weaver Arm Nighthawk.

2 (2) Any firearm manufactured under any designation which is  
3 substantially identical to any of the firearms listed above.

4 (3) A semi-automatic shotgun with either a magazine capacity  
5 exceeding six rounds, a pistol grip, or a folding stock.

6 (4) A semi-automatic rifle with a fixed magazine capacity  
7 exceeding **[15]** 10 rounds. “Assault firearm” shall not include a  
8 semi-automatic rifle which has an attached tubular device and which  
9 is capable of operating only with .22 caliber rimfire ammunition.

10 (5) A part or combination of parts designed or intended to  
11 convert a firearm into an assault firearm, or any combination of  
12 parts from which an assault firearm may be readily assembled if  
13 those parts are in the possession or under the control of the same  
14 person.

15 x. "Semi-automatic" means a firearm which fires a single  
16 projectile for each single pull of the trigger and is self-reloading or  
17 automatically chambers a round, cartridge, or bullet.

18 y. "Large capacity ammunition magazine" means a box, drum,  
19 tube or other container which is capable of holding more than **[15]**  
20 10 rounds of ammunition to be fed continuously and directly  
21 therefrom into a semi-automatic firearm. The term shall not include  
22 an attached tubular device which is capable of holding only .22  
23 caliber rimfire ammunition.

24 z. "Pistol grip" means a well-defined handle, similar to that  
25 found on a handgun, that protrudes conspicuously beneath the  
26 action of the weapon, and which permits the shotgun to be held and  
27 fired with one hand.

28 aa. "Antique handgun" means a handgun manufactured before  
29 1898, or a replica thereof, which is recognized as being historical in  
30 nature or of historical significance and either (1) utilizes a match,  
31 friction, flint, or percussion ignition, or which utilizes a pin-fire  
32 cartridge in which the pin is part of the cartridge or (2) does not fire  
33 fixed ammunition or for which cartridge ammunition is not  
34 commercially available.

35 bb. "Trigger lock" means a commercially available device  
36 approved by the Superintendent of State Police which is operated  
37 with a key or combination lock that prevents a firearm from being  
38 discharged while the device is attached to the firearm. It may  
39 include, but need not be limited to, devices that obstruct the barrel  
40 or cylinder of the firearm, as well as devices that immobilize the  
41 trigger.

42 cc. "Trigger locking device" means a device that, if installed on  
43 a firearm and secured by means of a key or mechanically,  
44 electronically or electromechanically operated combination lock,  
45 prevents the firearm from being discharged without first  
46 deactivating or removing the device by means of a key or

1 mechanically, electronically or electromechanically operated  
2 combination lock.

3 dd. "Personalized handgun" means a handgun which  
4 incorporates within its design, and as part of its original  
5 manufacture, technology which automatically limits its operational  
6 use and which cannot be readily deactivated, so that it may only be  
7 fired by an authorized or recognized user. The technology limiting  
8 the handgun's operational use may include, but not be limited to:  
9 radio frequency tagging, touch memory, remote control, fingerprint,  
10 magnetic encoding and other automatic user identification systems  
11 utilizing biometric, mechanical or electronic systems. No make or  
12 model of a handgun shall be deemed to be a "personalized handgun"  
13 unless the Attorney General has determined, through testing or  
14 other reasonable means, that the handgun meets any reliability  
15 standards that the manufacturer may require for its commercially  
16 available handguns that are not personalized or, if the manufacturer  
17 has no such reliability standards, the handgun meets the reliability  
18 standards generally used in the industry for commercially available  
19 handguns.

20 (cf: P.L.2002, c.130, s.5)]<sup>1</sup>

21

22 <sup>1</sup>1. N.J.S.2C:39-1 is amended to read as follows:

23 Definitions. The following definitions apply to this chapter and  
24 to chapter 58:

25 a. "Antique firearm" means any rifle or shotgun and "antique  
26 cannon" means a destructive device defined in paragraph (3) of  
27 subsection c. of this section, if the rifle, shotgun or destructive  
28 device, as the case may be, is incapable of being fired or  
29 discharged, or which does not fire fixed ammunition, regardless of  
30 date of manufacture, or was manufactured before 1898 for which  
31 cartridge ammunition is not commercially available, and is  
32 possessed as a curiosity or ornament or for its historical  
33 significance or value.

34 b. "Deface" means to remove, deface, cover, alter or destroy  
35 the name of the maker, model designation, manufacturer's serial  
36 number or any other distinguishing identification mark or number  
37 on any firearm.

38 c. "Destructive device" means any device, instrument or object  
39 designed to explode or produce uncontrolled combustion, including  
40 (1) any explosive or incendiary bomb, mine or grenade; (2) any  
41 rocket having a propellant charge of more than four ounces or any  
42 missile having an explosive or incendiary charge of more than one-  
43 quarter of an ounce; (3) any weapon capable of firing a projectile of  
44 a caliber greater than 60 caliber, except a shotgun or shotgun  
45 ammunition generally recognized as suitable for sporting purposes;  
46 (4) any Molotov cocktail or other device consisting of a breakable  
47 container containing flammable liquid and having a wick or similar

- 1 device capable of being ignited. The term does not include any  
2 device manufactured for the purpose of illumination, distress  
3 signaling, line-throwing, safety or similar purposes.
- 4 d. "Dispose of" means to give, give away, lease, loan, keep for  
5 sale, offer, offer for sale, sell, transfer, or otherwise transfer  
6 possession.
- 7 e. "Explosive" means any chemical compound or mixture that  
8 is commonly used or is possessed for the purpose of producing an  
9 explosion and which contains any oxidizing and combustible  
10 materials or other ingredients in such proportions, quantities or  
11 packing that an ignition by fire, by friction, by concussion or by  
12 detonation of any part of the compound or mixture may cause such  
13 a sudden generation of highly heated gases that the resultant  
14 gaseous pressures are capable of producing destructive effects on  
15 contiguous objects. The term shall not include small arms  
16 ammunition, or explosives in the form prescribed by the official  
17 United States Pharmacopoeia.
- 18 f. "Firearm" means any handgun, rifle, shotgun, machine gun,  
19 automatic or semi-automatic rifle, or any gun, device or instrument  
20 in the nature of a weapon from which may be fired or ejected any  
21 solid projectable ball, slug, pellet, missile or bullet, or any gas,  
22 vapor or other noxious thing, by means of a cartridge or shell or by  
23 the action of an explosive or the igniting of flammable or explosive  
24 substances. It shall also include, without limitation, any firearm  
25 which is in the nature of an air gun, spring gun or pistol or other  
26 weapon of a similar nature in which the propelling force is a spring,  
27 elastic band, carbon dioxide, compressed or other gas or vapor, air  
28 or compressed air, or is ignited by compressed air, and ejecting a  
29 bullet or missile smaller than three-eighths of an inch in diameter,  
30 with sufficient force to injure a person.
- 31 g. "Firearm silencer" means any instrument, attachment,  
32 weapon or appliance for causing the firing of any gun, revolver,  
33 pistol or other firearm to be silent, or intended to lessen or muffle  
34 the noise of the firing of any gun, revolver, pistol or other firearm.
- 35 h. "Gravity knife" means any knife which has a blade which is  
36 released from the handle or sheath thereof by the force of gravity or  
37 the application of centrifugal force.
- 38 i. "Machine gun" means any firearm, mechanism or instrument  
39 not requiring that the trigger be pressed for each shot and having a  
40 reservoir, belt or other means of storing and carrying ammunition  
41 which can be loaded into the firearm, mechanism or instrument and  
42 fired therefrom. A machine gun also shall include, without  
43 limitation, any firearm with a trigger crank attached.
- 44 j. "Manufacturer" means any person who receives or obtains  
45 raw materials or parts and processes them into firearms or finished  
46 parts of firearms, except a person who exclusively processes grips,  
47 stocks and other nonmetal parts of firearms. The term does not

- 1 include a person who repairs existing firearms or receives new and  
2 used raw materials or parts solely for the repair of existing firearms.
- 3 k. "Handgun" means any pistol, revolver or other firearm  
4 originally designed or manufactured to be fired by the use of a  
5 single hand.
- 6 l. "Retail dealer" means any person including a gunsmith,  
7 except a manufacturer or a wholesale dealer, who sells, transfers or  
8 assigns for a fee or profit any firearm or parts of firearms or  
9 ammunition which he has purchased or obtained with the intention,  
10 or for the purpose, of reselling or reassigning to persons who are  
11 reasonably understood to be the ultimate consumers, and includes  
12 any person who is engaged in the business of repairing firearms or  
13 who sells any firearm to satisfy a debt secured by the pledge of a  
14 firearm.
- 15 m. "Rifle" means any firearm designed to be fired from the  
16 shoulder and using the energy of the explosive in a fixed metallic  
17 cartridge to fire a single projectile through a rifled bore for each  
18 single pull of the trigger.
- 19 n. "Shotgun" means any firearm designed to be fired from the  
20 shoulder and using the energy of the explosive in a fixed shotgun  
21 shell to fire through a smooth bore either a number of ball shots or a  
22 single projectile for each pull of the trigger, or any firearm designed  
23 to be fired from the shoulder which does not fire fixed ammunition.
- 24 o. "Sawed-off shotgun" means any shotgun having a barrel or  
25 barrels of less than 18 inches in length measured from the breech to  
26 the muzzle, or a rifle having a barrel or barrels of less than 16  
27 inches in length measured from the breech to the muzzle, or any  
28 firearm made from a rifle or a shotgun, whether by alteration, or  
29 otherwise, if such firearm as modified has an overall length of less  
30 than 26 inches.
- 31 p. "Switchblade knife" means any knife or similar device  
32 which has a blade which opens automatically by hand pressure  
33 applied to a button, spring or other device in the handle of the knife.
- 34 q. "Superintendent" means the Superintendent of the State  
35 Police.
- 36 r. "Weapon" means anything readily capable of lethal use or of  
37 inflicting serious bodily injury. The term includes, but is not  
38 limited to, all (1) firearms, even though not loaded or lacking a clip  
39 or other component to render them immediately operable; (2)  
40 components which can be readily assembled into a weapon; (3)  
41 gravity knives, switchblade knives, daggers, dirks, stilettos, or other  
42 dangerous knives, billies, blackjacks, bludgeons, metal knuckles,  
43 sandclubs, slingshots, cesti or similar leather bands studded with  
44 metal filings or razor blades imbedded in wood; and (4) stun guns;  
45 and any weapon or other device which projects, releases, or emits  
46 tear gas or any other substance intended to produce temporary  
47 physical discomfort or permanent injury through being vaporized or  
48 otherwise dispensed in the air.

1 s. "Wholesale dealer" means any person, except a  
2 manufacturer, who sells, transfers, or assigns firearms, or parts of  
3 firearms, to persons who are reasonably understood not to be the  
4 ultimate consumers, and includes persons who receive finished  
5 parts of firearms and assemble them into completed or partially  
6 completed firearms, in furtherance of such purpose, except that it  
7 shall not include those persons dealing exclusively in grips, stocks  
8 and other nonmetal parts of firearms.

9 t. "Stun gun" means any weapon or other device which emits  
10 an electrical charge or current intended to temporarily or  
11 permanently disable a person.

12 u. "Ballistic knife" means any weapon or other device capable  
13 of lethal use and which can propel a knife blade.

14 v. "Imitation firearm" means an object or device reasonably  
15 capable of being mistaken for a firearm.

16 w. "Assault firearm" means:

17 (1) The following firearms:

18 Algimec AGM1 type

19 Any shotgun with a revolving cylinder such as the "Street  
20 Sweeper" or "Striker 12"

21 Armalite AR-180 type

22 Australian Automatic Arms SAR

23 Avtomat Kalashnikov type semi-automatic firearms

24 Beretta AR-70 and BM59 semi-automatic firearms

25 Bushmaster Assault Rifle

26 Calico M-900 Assault carbine and M-900

27 CETME G3

28 Chartered Industries of Singapore SR-88 type

29 Colt AR-15 and CAR-15 series

30 Daewoo K-1, K-2, Max 1 and Max 2, AR 100 types

31 Demro TAC-1 carbine type

32 Encom MP-9 and MP-45 carbine types

33 FAMAS MAS223 types

34 FN-FAL, FN-LAR, or FN-FNC type semi-automatic firearms

35 Franchi SPAS 12 and LAW 12 shotguns

36 G3SA type

37 Galil type Heckler and Koch HK91, HK93, HK94, MP5, PSG-1

38 Intratec TEC 9 and 22 semi-automatic firearms

39 M1 carbine type

40 M14S type

41 MAC 10, MAC 11, MAC 11-9mm carbine type firearms

42 PJK M-68 carbine type

43 Plainfield Machine Company Carbine

44 Ruger K-Mini-14/5F and Mini-14/5RF

45 SIG AMT, SIG 550SP, SIG 551SP, SIG PE-57 types

46 SKS with detachable magazine type

47 Spectre Auto carbine type

48 Springfield Armory BM59 and SAR-48 type

- 1 Sterling MK-6, MK-7 and SAR types  
2 Steyr A.U.G. semi-automatic firearms  
3 USAS 12 semi-automatic type shotgun  
4 Uzi type semi-automatic firearms  
5 Valmet M62, M71S, M76, or M78 type semi-automatic firearms  
6 Weaver Arm Nighthawk.
- 7 (2) Any firearm manufactured under any designation which is  
8 substantially identical to any of the firearms listed above.
- 9 (3) A semi-automatic shotgun with either a magazine capacity  
10 exceeding six rounds, a pistol grip, or a folding stock.
- 11 (4) A semi-automatic rifle with a fixed magazine capacity  
12 exceeding **[15]** 10 rounds. “Assault firearm” shall not include a  
13 semi-automatic rifle which has an attached tubular device and which  
14 is capable of operating only with .22 caliber rimfire ammunition.
- 15 (5) A part or combination of parts designed or intended to  
16 convert a firearm into an assault firearm, or any combination of  
17 parts from which an assault firearm may be readily assembled if  
18 those parts are in the possession or under the control of the same  
19 person.
- 20 (6) A firearm with a bump stock attached.
- 21 x. "Semi-automatic" means a firearm which fires a single  
22 projectile for each single pull of the trigger and is self-reloading or  
23 automatically chambers a round, cartridge, or bullet.
- 24 y. "Large capacity ammunition magazine" means a box, drum,  
25 tube or other container which is capable of holding more than **[15]**  
26 10 rounds of ammunition to be fed continuously and directly  
27 therefrom into a semi-automatic firearm. The term shall not include  
28 an attached tubular device which is capable of holding only .22  
29 caliber rimfire ammunition.
- 30 z. "Pistol grip" means a well-defined handle, similar to that  
31 found on a handgun, that protrudes conspicuously beneath the  
32 action of the weapon, and which permits the shotgun to be held and  
33 fired with one hand.
- 34 aa. "Antique handgun" means a handgun manufactured before  
35 1898, or a replica thereof, which is recognized as being historical in  
36 nature or of historical significance and either (1) utilizes a match,  
37 friction, flint, or percussion ignition, or which utilizes a pin-fire  
38 cartridge in which the pin is part of the cartridge or (2) does not fire  
39 fixed ammunition or for which cartridge ammunition is not  
40 commercially available.
- 41 bb. "Trigger lock" means a commercially available device  
42 approved by the Superintendent of State Police which is operated  
43 with a key or combination lock that prevents a firearm from being  
44 discharged while the device is attached to the firearm. It may  
45 include, but need not be limited to, devices that obstruct the barrel  
46 or cylinder of the firearm, as well as devices that immobilize the  
47 trigger.

1 cc. "Trigger locking device" means a device that, if installed on  
2 a firearm and secured by means of a key or mechanically,  
3 electronically or electromechanically operated combination lock,  
4 prevents the firearm from being discharged without first  
5 deactivating or removing the device by means of a key or  
6 mechanically, electronically or electromechanically operated  
7 combination lock.

8 dd. "Personalized handgun" means a handgun which  
9 incorporates within its design, and as part of its original  
10 manufacture, technology which automatically limits its operational  
11 use and which cannot be readily deactivated, so that it may only be  
12 fired by an authorized or recognized user. The technology limiting  
13 the handgun's operational use may include, but not be limited to:  
14 radio frequency tagging, touch memory, remote control, fingerprint,  
15 magnetic encoding and other automatic user identification systems  
16 utilizing biometric, mechanical or electronic systems. No make or  
17 model of a handgun shall be deemed to be a "personalized handgun"  
18 unless the Attorney General has determined, through testing or  
19 other reasonable means, that the handgun meets any reliability  
20 standards that the manufacturer may require for its commercially  
21 available handguns that are not personalized or, if the manufacturer  
22 has no such reliability standards, the handgun meets the reliability  
23 standards generally used in the industry for commercially available  
24 handguns.

25 ee. "Bump stock" means any device or instrument for a firearm  
26 that increases the rate of fire achievable with the firearm by using  
27 energy from the recoil of the firearm to generate a reciprocating  
28 action that facilitates repeated activation of the trigger.

29 ff. "Trigger crank" means any device or instrument to be  
30 attached to a firearm that repeatedly activates the trigger of the  
31 firearm through the use of a lever or other part that is turned in a  
32 circular motion; provided, however, the term shall not include any  
33 weapon initially designed and manufactured to fire through the use  
34 of a crank or lever.<sup>1</sup>

35 (cf: P.L.2017, c.323, s.1)

36

37 <sup>1</sup>2. N.J.S.2C:39-3 is amended to read as follows:

38 2C:39-3. Prohibited Weapons and Devices.

39 a. Destructive devices. Any person who knowingly has in his  
40 possession any destructive device is guilty of a crime of the third  
41 degree.

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

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

1 d. Defaced firearms. Any person who knowingly has in his  
2 possession any firearm which has been defaced, except an antique  
3 firearm or an antique handgun, is guilty of a crime of the fourth  
4 degree.

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

11 f. Dum-dum or body armor penetrating bullets. (1) Any  
12 person, other than a law enforcement officer or persons engaged in  
13 activities pursuant to subsection f. of N.J.S.2C:39-6, who  
14 knowingly has in his possession any hollow nose or dum-dum  
15 bullet, or (2) any person, other than a collector of firearms or  
16 ammunition as curios or relics as defined in Title 18, United States  
17 Code, section 921 (a) (13) and has in his possession a valid  
18 Collector of Curios and Relics License issued by the Bureau of  
19 Alcohol, Tobacco and Firearms, who knowingly has in his  
20 possession any body armor breaching or penetrating ammunition,  
21 which means: (a) ammunition primarily designed for use in a  
22 handgun, and (b) which is comprised of a bullet whose core or  
23 jacket, if the jacket is thicker than .025 of an inch, is made of  
24 tungsten carbide, or hard bronze, or other material which is harder  
25 than a rating of 72 or greater on the Rockwell B. Hardness Scale,  
26 and (c) is therefore capable of breaching or penetrating body armor,  
27 is guilty of a crime of the fourth degree. For purposes of this  
28 section, a collector may possess not more than three examples of  
29 each distinctive variation of the ammunition described above. A  
30 distinctive variation includes a different head stamp, composition,  
31 design, or color.

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

40 Nothing in subsection h. of this section shall apply to any law  
41 enforcement officer who is exempted from the provisions of that  
42 subsection by the Attorney General. Nothing in this section shall  
43 apply to the possession of any weapon or device by a law  
44 enforcement officer who has confiscated, seized or otherwise taken  
45 possession of said weapon or device as evidence of the commission  
46 of a crime or because he believed it to be possessed illegally by the  
47 person from whom it was taken, provided that said law enforcement

1 officer promptly notifies his superiors of his possession of such  
2 prohibited weapon or device.

3 (2) a. Nothing in subsection f. (1) shall be construed to prevent  
4 a person from keeping such ammunition at his dwelling, premises  
5 or other land owned or possessed by him, or from carrying such  
6 ammunition from the place of purchase to said dwelling or land, nor  
7 shall subsection f. (1) be construed to prevent any licensed retail or  
8 wholesale firearms dealer from possessing such ammunition at its  
9 licensed premises, provided that the seller of any such ammunition  
10 shall maintain a record of the name, age and place of residence of  
11 any purchaser who is not a licensed dealer, together with the date of  
12 sale and quantity of ammunition sold.

13 b. Nothing in subsection f.(1) shall be construed to prevent a  
14 designated employee or designated licensed agent for a nuclear  
15 power plant under the license of the Nuclear Regulatory  
16 Commission from possessing hollow nose ammunition while in the  
17 actual performance of his official duties, if the federal licensee  
18 certifies that the designated employee or designated licensed agent  
19 is assigned to perform site protection, guard, armed response or  
20 armed escort duties and is appropriately trained and qualified, as  
21 prescribed by federal regulation, to perform those duties.

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

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

40 (5) Nothing in subsection c. of this section shall be construed to  
41 apply to any person who is specifically identified in a special deer  
42 management permit issued by the Division of Fish and Wildlife to  
43 utilize a firearm silencer as part of an alternative deer control  
44 method implemented in accordance with a special deer management  
45 permit issued pursuant to section 4 of P.L.2000, c.46 (C.23:4-42.6),  
46 while the person is in the actual performance of the permitted  
47 alternative deer control method and while going to and from the  
48 place where the permitted alternative deer control method is being

1 utilized. This exception shall not, however, otherwise apply to any  
2 person to authorize the purchase or possession of a firearm silencer.

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

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

11 j. Any person who knowingly has in his possession a large  
12 capacity ammunition magazine is guilty of a crime of the fourth  
13 degree unless the person has registered:

14 (1) an assault firearm pursuant to section 11 of P.L.1990, c.32  
15 (C.2C:58-12) and the magazine is maintained and used in  
16 connection with participation in competitive shooting matches  
17 sanctioned by the Director of Civilian Marksmanship of the United  
18 States Department of the Army [.] ; or

19 (2) a firearm with a fixed magazine capacity <sup>2</sup>or detachable  
20 magazine<sup>2</sup> capable of holding up to 15 rounds pursuant to section 7  
21 of P.L. , c. (C. ) (pending before the Legislature as this  
22 bill).

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

29 l. Bump stock or trigger crank. Any person who knowingly  
30 possesses a bump stock as defined in subsection ee. of N.J.S.2C:39-  
31 1 or a trigger crank as defined in subsection ff. of N.J.S.2C:39-1,  
32 regardless of whether the person is in possession of a firearm, is  
33 guilty of a crime of the third degree.

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

44 (cf: P.L.2017, c.323, s.2)

45

46 <sup>1</sup>[2.] 3.<sup>1</sup> (New section) Notwithstanding the provisions of  
47 subsection j. of N.J.S.2C:39-3, a retired law enforcement officer

1 who is authorized to possess and carry a handgun pursuant to  
2 subsection l. of N.J.S.2C:39-6 may possess and carry a large  
3 capacity ammunition magazine which is capable of holding up to 15  
4 rounds of ammunition that can be fed continuously and directly into  
5 a semi-automatic handgun.

6  
7 <sup>1</sup>[3. (New section) Notwithstanding the provisions of  
8 N.J.S.2C:39-6, a law enforcement officer may possess and carry  
9 while on duty a large capacity ammunition magazine and possess  
10 and carry while off duty a large capacity ammunition magazine  
11 which is capable of holding up to 15 rounds of ammunition that can  
12 be fed continuously and directly into a semi-automatic firearm.]<sup>1</sup>

13  
14 <sup>1</sup>4. (New section) The provisions of P.L. \_\_\_\_\_, c. (C. \_\_\_\_\_)  
15 (pending before the Legislature as this bill) shall not apply to the  
16 possession of a large capacity ammunition magazine solely used as  
17 a prop for a motion picture, television, or video production,  
18 provided the large capacity ammunition magazine has been  
19 reconfigured to fire blank ammunition and remains under the  
20 control of a federal firearms license holder.<sup>1</sup>

21  
22 <sup>1</sup>[4.] 5.<sup>1</sup> (New section) <sup>1</sup>[Any] Except as provided in section  
23 7 of P.L. \_\_\_\_\_, c. (C. \_\_\_\_\_) (pending before the Legislature as this  
24 bill),<sup>1</sup> a person who legally owns a semi-automatic rifle with a fixed  
25 magazine capacity exceeding 10 rounds or a large capacity  
26 ammunition magazine as defined under subsection y. of  
27 N.J.S.2C:39-1 which is capable of holding more than 10 rounds of  
28 ammunition on the effective date of P.L. \_\_\_\_\_, c. (C. \_\_\_\_\_) (pending  
29 before the Legislature as this bill) may retain possession of that rifle  
30 or magazine for a period not to exceed 180 days <sup>1</sup>[from] after<sup>1</sup>  
31 the effective date of this act. During this time period, the owner of the  
32 semi-automatic rifle or magazine shall:

33 a. Transfer the semi-automatic rifle or magazine to any person  
34 or firm lawfully entitled to own or possess that firearm or  
35 magazine;

36 b. Render the semi-automatic rifle or magazine inoperable <sup>1</sup>or  
37 permanently modify a large capacity ammunition magazine to  
38 accept 10 rounds or less<sup>1</sup>; or

39 c. Voluntarily surrender the semi-automatic rifle or magazine  
40 pursuant to the provisions of N.J.S.2C:39-12.

41  
42 <sup>1</sup>[5.] 6.<sup>1</sup> N.J.S.2C:39-12 is amended to read as follows:

43 2C:39-12. No person shall be convicted of an offense under this  
44 chapter for possessing any firearms, weapons, destructive devices,  
45 large capacity ammunition magazines, silencers or explosives, if  
46 after giving written notice of his intention to do so, including the

1 proposed date and time of surrender, he voluntarily surrendered the  
2 weapon, device, instrument or substance in question to the  
3 superintendent or to the chief of police in the municipality in which  
4 he resides, provided that the required notice is received by the  
5 superintendent or chief of police before any charges have been  
6 made or complaints filed against such person for the unlawful  
7 possession of the weapon, device, instrument or substance in  
8 question and before any investigation has been commenced by any  
9 law enforcement agency concerning the unlawful possession.  
10 Nothing in this section shall be construed as granting immunity  
11 from prosecution for any crime or offense except that of the  
12 unlawful possession of such weapons, devices, instruments or  
13 substances surrendered as herein provided.

14 (cf: N.J.S.2C:39-12)

15

16 <sup>1</sup>7. (New section) a. A person who legally owns a firearm  
17 <sup>2</sup>[with a fixed magazine capacity holding up to 15 rounds which is  
18 incapable of being modified to accommodate 10 or less rounds and  
19 was purchased on or] as set forth in paragraph (1) or (2) of this  
20 subsection<sup>2</sup> prior to the effective date of P.L. , c. (C. )  
21 (pending before the Legislature as this bill) shall register that  
22 firearm within one year from the effective date<sup>2</sup>[this act]:

23 (1) a firearm with a fixed magazine capacity holding up to 15  
24 rounds which is incapable of being modified to accommodate 10 or  
25 less rounds; or

26 (2) a firearm which only accepts a detachable magazine with a  
27 capacity of up to 15 rounds which is incapable of being modified to  
28 accommodate 10 or less rounds<sup>2</sup>.

29 <sup>2</sup>b.<sup>2</sup> In order to register the firearm<sup>2</sup> pursuant to subsection a. of  
30 this section<sup>2</sup>, the owner shall:

31 (1) complete a registration statement, in the form to be  
32 prescribed by the Superintendent of the State Police; <sup>3</sup>and<sup>3</sup>

33 (2) <sup>3</sup>[pay a registration fee of \$50 per firearm; and

34 (3)]<sup>3</sup> produce for inspection a valid firearms purchaser  
35 identification card, permit to carry a handgun, or permit to purchase  
36 a handgun.

37 <sup>2</sup>[b.] c.<sup>2</sup> The information provided in the registration  
38 statement established pursuant to subsection <sup>2</sup>[a.] b.<sup>2</sup> of this section  
39 shall include, but shall not be limited to: the name and address of  
40 the registrant; the number or numbers on the registrant's firearms  
41 purchaser identification card, permit to carry a handgun, or permit  
42 to purchase a handgun; and the make, model, and serial number of  
43 the firearm being registered. Each registration statement shall be  
44 signed by the registrant, and the signature shall constitute a  
45 representation of the accuracy of the information contained in the  
46 registration statement.

1       <sup>2</sup>**[c.] d.**<sup>2</sup> An applicant shall register the firearm in the law  
2 enforcement agency of the municipality in which the applicant  
3 resides or, if the municipality does not have a municipal law  
4 enforcement agency, any State Police station.

5       <sup>2</sup>**[d.] e.**<sup>2</sup> Within 60 days of the effective date of P.L. \_\_\_\_\_,  
6 c. (C. \_\_\_\_\_) (pending before the Legislature as this bill), the  
7 superintendent shall prepare the form of registration statement as  
8 described in subsection <sup>2</sup>**[b.] c.**<sup>2</sup> of this section and shall provide a  
9 suitable supply of statements to each organized full-time municipal  
10 police department and each State Police station.

11       <sup>2</sup>**[e.] f.**<sup>2</sup> One copy of the completed registration statement shall  
12 be returned to the registrant, a second copy shall be sent to the  
13 <sup>2</sup>**[Superintendent]** superintendent<sup>2</sup>, and, if the registration takes  
14 place at a municipal police department, a third copy shall be  
15 retained by that municipal police department.

16       <sup>2</sup>**[f.] g.**<sup>2</sup> The heir or estate of an owner of a firearm which has  
17 been registered pursuant to this section shall within 90 days after  
18 the owner's death dispose of that firearm in accordance with section  
19 5 of P.L. \_\_\_\_\_, c. (C. \_\_\_\_\_) (pending before the Legislature as  
20 this bill)<sup>1 2 2</sup>

21

22       <sup>1</sup>**[6.] 8.**<sup>1</sup> This act shall take effect immediately.

23

24

25

26

27       Reduces maximum capacity of ammunition magazines to 10  
28 rounds.