

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 2465

with committee amendments

STATE OF NEW JERSEY

DATED: APRIL 16, 2018

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 2465

As amended and reported by the committee, this bill establishes a criminal penalty of purchasing firearm parts to illegally manufacture a firearm without a serial number, also known as a “ghost gun.” Under current law, a person who manufactures a handgun, rifle, or shotgun without being licensed to do so is guilty of a fourth degree crime. The manufacture of a machine gun, sawed off shotgun, or assault firearm is a crime of the third degree.

The amended bill establishes a separate third degree crime of purchasing or obtaining separately or as part of a kit: (1) a firearm frame or firearm receiver which is not imprinted with a serial number that is registered with a federally licensed manufacturer, or (2) any combination of parts from which a firearm without a serial number may be readily manufactured, but which does not have the capacity to function as a firearm unless manufactured.

Under the amended bill, “firearm frame or firearm receiver” is defined as the part of a firearm that provides housing for the firearm’s internal components, such as the hammer, bolt or breechblock, action, and firing mechanism.

A violation of the bill’s provisions is not to merge with any other criminal conviction and a court is to impose separate sentences for a violation of the bill’s provisions and any other criminal offense.

A crime of the third degree is punishable by a three-to-five year term of incarceration, a fine of up to \$15,000, or both.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

1) change the term “untraceable firearm” to a “firearm without a serial number;”

2) make a person guilty of a third degree crime if the person, with the purpose to manufacture a firearm and without being registered or licensed under current law, purchases or otherwise obtains separately or as part of a kit: 1) a firearm frame or firearm receiver which is not imprinted with a serial number registered with a federally licensed manufacturer, or 2) any combination of parts from which a firearm

without a serial number may be manufactured, but which does not have the capacity to function as a firearm unless manufactured; as introduced, a person was guilty of a third degree crime if the person purchased separately or as a kit any combination of parts from which a firearm may be readily assembled with the purpose to manufacture an untraceable firearm;

3) remove the definition of “untraceable firearm” and add the definition of “firearm frame or firearm receiver;” and

4) make other clarifying changes.