

[First Reprint]

**SENATE, No. 3897**

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

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INTRODUCED JUNE 3, 2019

**Sponsored by:**

**Senator LORETTA WEINBERG**

**District 37 (Bergen)**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

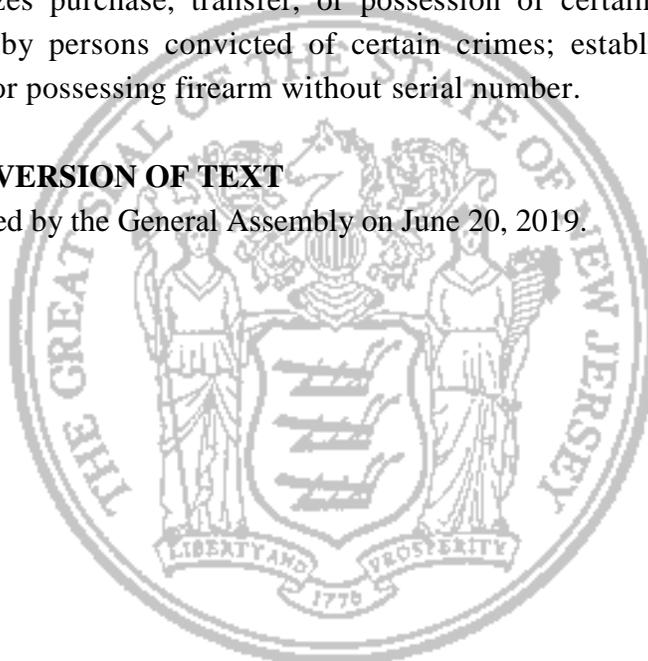
**Senator Ruiz, Assemblyman McKeon and Assemblywoman Jasey**

**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 amended by the General Assembly on June 20, 2019.



**(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 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 floor amendments adopted June 20, 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

1 Code, section 921 (a) (13) and has in his possession a valid  
2 Collector of Curios and Relics License issued by the Bureau of  
3 Alcohol, Tobacco, Firearms, and Explosives, who knowingly has in  
4 his possession any armor piercing ammunition, as defined in  
5 subsection gg. of N.J.S.2C:39-1, is guilty of a crime of the fourth  
6 degree. For purposes of this section, a collector may possess not  
7 more than three examples of each distinctive variation of the  
8 ammunition described above. A distinctive variation includes a  
9 different head stamp, composition, design, or color.

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

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

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

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

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

1 such ammunition shall maintain a record of the name, age and place  
2 of residence of any purchaser who is not a licensed dealer, together  
3 with the date of sale and quantity of ammunition sold.

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

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

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

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

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

45 i. Nothing in subsection e. of this section shall be construed to  
46 prevent any guard in the employ of a private security company, who  
47 is licensed to carry a firearm, from the possession of a nightstick  
48 when in the actual performance of his official duties, provided that

1 he has satisfactorily completed a training course approved by the  
2 Police Training Commission in the use of a nightstick.

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

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

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

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

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

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

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

1 subsection k. of N.J.S.2C:39-9, is guilty of a crime of the third  
2 degree.

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

4

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

6 2C:39-9. Manufacture, Transport, Disposition and Defacement  
7 of Weapons and Dangerous Instruments and Appliances.

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

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

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

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

45 e. Defaced firearms. Any person who defaces any firearm is  
46 guilty of a crime of the third degree. Any person who knowingly  
47 buys, receives, disposes of or conceals a defaced firearm, except an

1 antique firearm or an antique handgun, is guilty of a crime of the  
2 fourth degree.

3 f. (1) Any person who manufactures, causes to be  
4 manufactured, transports, ships, sell, or disposes of any armor  
5 piercing ammunition, as defined in subsection gg. of N.J.S.2C:39-1,  
6 which is intended to be used for any purpose other than for  
7 authorized military or law enforcement purposes by duly authorized  
8 military or law enforcement personnel, is guilty of a crime of the  
9 fourth degree.

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

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

34 h. Large capacity ammunition magazines. Any person who  
35 manufactures, causes to be manufactured, transports, ships, sells or  
36 disposes of a large capacity ammunition magazine which is  
37 intended to be used for any purpose other than for authorized  
38 military or law enforcement purposes by duly authorized military or  
39 law enforcement personnel is guilty of a crime of the fourth degree.

40 i. Transporting firearms into this State for an unlawful sale or  
41 transfer. Any person who knowingly transports, ships or otherwise  
42 brings into this State any firearm for the purpose of unlawfully  
43 selling, transferring, giving, assigning or otherwise disposing of that  
44 firearm to another individual is guilty of a crime of the second  
45 degree. Any motor vehicle used by a person to transport, ship, or  
46 otherwise bring a firearm into this State for unlawful sale or transfer  
47 shall be subject to forfeiture in accordance with the provisions of  
48 N.J.S.2C:64-1 et seq.; provided however, this forfeiture provision

1 shall not apply to innocent owners, nor shall it affect the rights of a  
2 holder of a valid lien.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

41

42       4. This act shall take effect immediately.