

ASSEMBLY, No. 204

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Assemblyman JAMEL C. HOLLEY

District 20 (Union)

Co-Sponsored by:

Assemblyman Wimberly, Assemblywoman Chaparro, Assemblyman Scharfenberger and Assemblywoman Carter

SYNOPSIS

Broadens municipal arson investigators' powers.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 3/8/2021)

1 **AN ACT** concerning the powers of municipal arson investigators
2 and amending N.J.S.2C:39-6 and P.L.1981, c.409.

3

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

6

7 1. N.J.S.2C:39-6 is amended to read as follows:

8 2C:39-6. a. Provided a person complies with the requirements
9 of subsection j. of this section, N.J.S.2C:39-5 does not apply to:

10 (1) Members of the Armed Forces of the United States or of the
11 National Guard while actually on duty, or while traveling between
12 places of duty and carrying authorized weapons in the manner
13 prescribed by the appropriate military authorities;

14 (2) Federal law enforcement officers, and any other federal
15 officers and employees required to carry firearms in the
16 performance of their official duties;

17 (3) Members of the State Police and, under conditions
18 prescribed by the superintendent, members of the Marine Law
19 Enforcement Bureau of the Division of State Police;

20 (4) A sheriff, undersheriff, sheriff's officer, county prosecutor,
21 assistant prosecutor, prosecutor's detective or investigator, deputy
22 attorney general or State investigator employed by the Division of
23 Criminal Justice of the Department of Law and Public Safety,
24 investigator employed by the State Commission of Investigation,
25 inspector of the Alcoholic Beverage Control Enforcement Bureau of
26 the Division of State Police in the Department of Law and Public
27 Safety authorized to carry such weapons by the Superintendent of
28 State Police, State park police officer, or State conservation officer;

29 (5) Except as hereinafter provided, a prison or jail warden of
30 any penal institution in this State or his deputies, or an employee of
31 the Department of Corrections engaged in the interstate
32 transportation of convicted offenders, while in the performance of
33 his duties, and when required to possess the weapon by his superior
34 officer, or a corrections officer or keeper of a penal institution in
35 this State at all times while in the State of New Jersey, provided he
36 annually passes an examination approved by the superintendent
37 testing his proficiency in the handling of firearms;

38 (6) A civilian employee of the United States Government under
39 the supervision of the commanding officer of any post, camp,
40 station, base or other military or naval installation located in this
41 State who is required, in the performance of his official duties, to
42 carry firearms, and who is authorized to carry such firearms by said
43 commanding officer, while in the actual performance of his official
44 duties;

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.

1 (7) (a) A regularly employed member, including a detective, of
2 the police department of any county or municipality, or of any
3 State, interstate, municipal or county park police force or boulevard
4 police force, at all times while in the State of New Jersey;

5 (b) A special law enforcement officer authorized to carry a
6 weapon as provided in subsection b. of section 7 of P.L.1985, c.439
7 (C.40A:14-146.14);

8 (c) An airport security officer or a special law enforcement
9 officer appointed by the governing body of any county or
10 municipality, except as provided in subsection (b) of this section, or
11 by the commission, board or other body having control of a county
12 park or airport or boulevard police force, while engaged in the
13 actual performance of his official duties and when specifically
14 authorized by the governing body to carry weapons;

15 (8) A full-time, paid member of a paid or part-paid fire
16 department or force of any municipality who is assigned full-time
17 **【or part-time】** to an arson investigation unit created pursuant to
18 section 1 of P.L.1981, c.409 (C.40A:14-7.1) or to the county arson
19 investigation unit in the county prosecutor's office, **【while either**
20 **engaged in the actual performance of arson investigation duties or**
21 **while actually on call to perform arson investigation duties and**
22 **when specifically authorized by the governing body or the county**
23 **prosecutor, as the case may be, to carry weapons】** at all times while
24 in the State of New Jersey. Prior to being permitted to carry a
25 firearm, such a member shall take and successfully complete a basic
26 police academy training course as approved by the Police Training
27 Commission and as required by subsection b. of section 1 of
28 P.L.1981, c.409 (C.40A:14-7.1), a firearms training course
29 administered by the Police Training Commission pursuant to
30 P.L.1961, c.56 (C.52:17B-66 et seq.), and shall annually qualify in
31 the use of a revolver or similar weapon prior to being permitted to
32 carry a firearm. Such a member also shall be required to attend and
33 successfully complete any in-service or Attorney General guideline
34 training program as required by the Division of Criminal Justice in
35 the Department of Law and Public Safety;

36 (9) A juvenile corrections officer in the employment of the
37 Juvenile Justice Commission established pursuant to section 2 of
38 P.L.1995, c.284 (C.52:17B-170) subject to the regulations
39 promulgated by the commission;

40 (10) A designated employee or designated licensed agent for a
41 nuclear power plant under license of the Nuclear Regulatory
42 Commission, while in the actual performance of his official duties,
43 if the federal licensee certifies that the designated employee or
44 designated licensed agent is assigned to perform site protection,
45 guard, armed response or armed escort duties and is appropriately
46 trained and qualified, as prescribed by federal regulation, to
47 perform those duties. Any firearm utilized by an employee or agent
48 for a nuclear power plant pursuant to this paragraph shall be

1 returned each day at the end of the employee's or agent's authorized
2 official duties to the employee's or agent's supervisor. All firearms
3 returned each day pursuant to this paragraph shall be stored in
4 locked containers located in a secure area;

5 (11) A county corrections officer at all times while in the State of
6 New Jersey, provided he annually passes an examination approved
7 by the superintendent testing his proficiency in the handling of
8 firearms.

9 b. Subsections a., b. and c. of N.J.S.2C:39-5 do not apply to:

10 (1) A law enforcement officer employed by a governmental
11 agency outside of the State of New Jersey while actually engaged in
12 his official duties, provided, however, that he has first notified the
13 superintendent or the chief law enforcement officer of the
14 municipality or the prosecutor of the county in which he is engaged;
15 or

16 (2) A licensed dealer in firearms and his registered employees
17 during the course of their normal business while traveling to and
18 from their place of business and other places for the purpose of
19 demonstration, exhibition or delivery in connection with a sale,
20 provided, however, that the weapon is carried in the manner
21 specified in subsection g. of this section.

22 c. Provided a person complies with the requirements of
23 subsection j. of this section, subsections b. and c. of N.J.S.2C:39-5
24 do not apply to:

25 (1) A special agent of the Division of Taxation who has passed
26 an examination in an approved police training program testing
27 proficiency in the handling of any firearm which he may be
28 required to carry, while in the actual performance of his official
29 duties and while going to or from his place of duty, or any other
30 police officer, while in the actual performance of his official duties;

31 (2) A State deputy conservation officer or a full-time employee
32 of the Division of Parks and Forestry having the power of arrest and
33 authorized to carry weapons, while in the actual performance of his
34 official duties;

35 (3) (Deleted by amendment, P.L.1986, c.150.)

36 (4) A court attendant serving as such under appointment by the
37 sheriff of the county or by the judge of any municipal court or other
38 court of this State, while in the actual performance of his official
39 duties;

40 (5) A guard in the employ of any railway express company,
41 banking or building and loan or savings and loan institution of this
42 State, while in the actual performance of his official duties;

43 (6) A member of a legally recognized military organization
44 while actually under orders or while going to or from the prescribed
45 place of meeting and carrying the weapons prescribed for drill,
46 exercise or parade;

47 (7) A humane law enforcement officer of the New Jersey
48 Society for the Prevention of Cruelty to Animals or of a county

- 1 society for the prevention of cruelty to animals, while in the actual
2 performance of his duties;
- 3 (8) An employee of a public utilities corporation actually
4 engaged in the transportation of explosives;
- 5 (9) A railway policeman, except a transit police officer of the
6 New Jersey Transit Police Department, at all times while in the
7 State of New Jersey, provided that he has passed an approved police
8 academy training program consisting of at least 280 hours. The
9 training program shall include, but need not be limited to, the
10 handling of firearms, community relations, and juvenile relations;
- 11 (10) A campus police officer appointed under P.L.1970, c.211
12 (C.18A:6-4.2 et seq.) at all times. Prior to being permitted to carry
13 a firearm, a campus police officer shall take and successfully
14 complete a firearms training course administered by the Police
15 Training Commission, pursuant to P.L.1961, c.56 (C.52:17B-66 et
16 seq.), and shall annually qualify in the use of a revolver or similar
17 weapon prior to being permitted to carry a firearm;
- 18 (11) (Deleted by amendment, P.L.2003, c.168).
- 19 (12) A transit police officer of the New Jersey Transit Police
20 Department, at all times while in the State of New Jersey, provided
21 the officer has satisfied the training requirements of the Police
22 Training Commission, pursuant to subsection c. of section 2 of
23 P.L.1989, c.291 (C.27:25-15.1);
- 24 (13) A parole officer employed by the State Parole Board at all
25 times. Prior to being permitted to carry a firearm, a parole officer
26 shall take and successfully complete a basic course for regular
27 police officer training administered by the Police Training
28 Commission, pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.), and
29 shall annually qualify in the use of a revolver or similar weapon
30 prior to being permitted to carry a firearm;
- 31 (14) A Human Services police officer at all times while in the
32 State of New Jersey, as authorized by the Commissioner of Human
33 Services;
- 34 (15) A person or employee of any person who, pursuant to and as
35 required by a contract with a governmental entity, supervises or
36 transports persons charged with or convicted of an offense;
- 37 (16) A housing authority police officer appointed under
38 P.L.1997, c.210 (C.40A:14-146.19 et al.) at all times while in the
39 State of New Jersey; or
- 40 (17) A probation officer assigned to the "Probation Officer
41 Community Safety Unit" created by section 2 of P.L.2001, c.362
42 (C.2B:10A-2) while in the actual performance of the probation
43 officer's official duties. Prior to being permitted to carry a firearm,
44 a probation officer shall take and successfully complete a basic
45 course for regular police officer training administered by the Police
46 Training Commission, pursuant to P.L.1961, c.56 (C.52:17B-66 et
47 seq.), and shall annually qualify in the use of a revolver or similar
48 weapon prior to being permitted to carry a firearm.

1 d. (1) Subsections c. and d. of N.J.S.2C:39-5 do not apply to
2 antique firearms, provided that such antique firearms are unloaded
3 or are being fired for the purposes of exhibition or demonstration at
4 an authorized target range or in such other manner as has been
5 approved in writing by the chief law enforcement officer of the
6 municipality in which the exhibition or demonstration is held, or if
7 not held on property under the control of a particular municipality,
8 the superintendent.

9 (2) Subsection a. of N.J.S.2C:39-3 and subsection d. of
10 N.J.S.2C:39-5 do not apply to an antique cannon that is capable of
11 being fired but that is unloaded and immobile, provided that the
12 antique cannon is possessed by (a) a scholastic institution, a
13 museum, a municipality, a county or the State, or (b) a person who
14 obtained a firearms purchaser identification card as specified in
15 N.J.S.2C:58-3.

16 (3) Subsection a. of N.J.S.2C:39-3 and subsection d. of
17 N.J.S.2C:39-5 do not apply to an unloaded antique cannon that is
18 being transported by one eligible to possess it, in compliance with
19 regulations the superintendent may promulgate, between its
20 permanent location and place of purchase or repair.

21 (4) Subsection a. of N.J.S.2C:39-3 and subsection d. of
22 N.J.S.2C:39-5 do not apply to antique cannons that are being loaded
23 or fired by one eligible to possess an antique cannon, for purposes
24 of exhibition or demonstration at an authorized target range or in
25 the manner as has been approved in writing by the chief law
26 enforcement officer of the municipality in which the exhibition or
27 demonstration is held, or if not held on property under the control
28 of a particular municipality, the superintendent, provided that
29 performer has given at least 30 days' notice to the superintendent.

30 (5) Subsection a. of N.J.S.2C:39-3 and subsection d. of
31 N.J.S.2C:39-5 do not apply to the transportation of unloaded
32 antique cannons directly to or from exhibitions or demonstrations
33 authorized under paragraph (4) of subsection d. of this section,
34 provided that the transportation is in compliance with safety
35 regulations the superintendent may promulgate. Nor do those
36 subsections apply to transportation directly to or from exhibitions or
37 demonstrations authorized under the law of another jurisdiction,
38 provided that the superintendent has been given 30 days' notice and
39 that the transportation is in compliance with safety regulations the
40 superintendent may promulgate.

41 e. Nothing in subsections b., c. and d. of N.J.S.2C:39-5 shall be
42 construed to prevent a person keeping or carrying about his place of
43 business, residence, premises or other land owned or possessed by
44 him, any firearm, or from carrying the same, in the manner
45 specified in subsection g. of this section, from any place of
46 purchase to his residence or place of business, between his dwelling
47 and his place of business, between one place of business or
48 residence and another when moving, or between his dwelling or

1 place of business and place where such firearms are repaired, for
2 the purpose of repair. For the purposes of this section, a place of
3 business shall be deemed to be a fixed location.

4 f. Nothing in subsections b., c. and d. of N.J.S.2C:39-5 shall be
5 construed to prevent:

6 (1) A member of any rifle or pistol club organized in accordance
7 with the rules prescribed by the National Board for the Promotion
8 of Rifle Practice, in going to or from a place of target practice,
9 carrying such firearms as are necessary for said target practice,
10 provided that the club has filed a copy of its charter with the
11 superintendent and annually submits a list of its members to the
12 superintendent and provided further that the firearms are carried in
13 the manner specified in subsection g. of this section;

14 (2) A person carrying a firearm or knife in the woods or fields
15 or upon the waters of this State for the purpose of hunting, target
16 practice or fishing, provided that the firearm or knife is legal and
17 appropriate for hunting or fishing purposes in this State and he has
18 in his possession a valid hunting license, or, with respect to fresh
19 water fishing, a valid fishing license;

20 (3) A person transporting any firearm or knife while traveling:

21 (a) Directly to or from any place for the purpose of hunting or
22 fishing, provided the person has in his possession a valid hunting or
23 fishing license; or

24 (b) Directly to or from any target range, or other authorized
25 place for the purpose of practice, match, target, trap or skeet
26 shooting exhibitions, provided in all cases that during the course of
27 the travel all firearms are carried in the manner specified in
28 subsection g. of this section and the person has complied with all
29 the provisions and requirements of Title 23 of the Revised Statutes
30 and any amendments thereto and all rules and regulations
31 promulgated thereunder; or

32 (c) In the case of a firearm, directly to or from any exhibition or
33 display of firearms which is sponsored by any law enforcement
34 agency, any rifle or pistol club, or any firearms collectors club, for
35 the purpose of displaying the firearms to the public or to the
36 members of the organization or club, provided, however, that not
37 less than 30 days prior to the exhibition or display, notice of the
38 exhibition or display shall be given to the Superintendent of the
39 State Police by the sponsoring organization or club, and the sponsor
40 has complied with such reasonable safety regulations as the
41 superintendent may promulgate. Any firearms transported pursuant
42 to this section shall be transported in the manner specified in
43 subsection g. of this section;

44 (4) A person from keeping or carrying about a private or
45 commercial aircraft or any boat, or from transporting to or from
46 such vessel for the purpose of installation or repair a visual distress
47 signaling device approved by the United States Coast Guard.

1 g. All weapons being transported under paragraph (2) of
2 subsection b., subsection e., or paragraph (1) or (3) of subsection f.
3 of this section shall be carried unloaded and contained in a closed
4 and fastened case, gunbox, securely tied package, or locked in the
5 trunk of the automobile in which it is being transported, and in the
6 course of travel shall include only such deviations as are reasonably
7 necessary under the circumstances.

8 h. Nothing in subsection d. of N.J.S.2C:39-5 shall be construed
9 to prevent any employee of a public utility, as defined in R.S.48:2-
10 13, doing business in this State or any United States Postal Service
11 employee, while in the actual performance of duties which
12 specifically require regular and frequent visits to private premises,
13 from possessing, carrying or using any device which projects,
14 releases or emits any substance specified as being noninjurious to
15 canines or other animals by the Commissioner of Health and Senior
16 Services and which immobilizes only on a temporary basis and
17 produces only temporary physical discomfort through being
18 vaporized or otherwise dispensed in the air for the sole purpose of
19 repelling canine or other animal attacks.

20 The device shall be used solely to repel only those canine or
21 other animal attacks when the canines or other animals are not
22 restrained in a fashion sufficient to allow the employee to properly
23 perform his duties.

24 Any device used pursuant to this act shall be selected from a list
25 of products, which consist of active and inert ingredients, permitted
26 by the Commissioner of Health and Senior Services.

27 i. Nothing in N.J.S.2C:39-5 shall be construed to prevent any
28 person who is 18 years of age or older and who has not been
29 convicted of a felony, from possession for the purpose of personal
30 self-defense of one pocket-sized device which contains and releases
31 not more than three-quarters of an ounce of chemical substance not
32 ordinarily capable of lethal use or of inflicting serious bodily injury,
33 but rather, is intended to produce temporary physical discomfort or
34 disability through being vaporized or otherwise dispensed in the air.
35 Any person in possession of any device in violation of this
36 subsection shall be deemed and adjudged to be a disorderly person,
37 and upon conviction thereof, shall be punished by a fine of not less
38 than \$100.00.

39 j. A person shall qualify for an exemption from the provisions
40 of N.J.S.2C:39-5, as specified under subsections a. and c. of this
41 section, if the person has satisfactorily completed a firearms
42 training course approved by the Police Training Commission.

43 Such exempt person shall not possess or carry a firearm until the
44 person has satisfactorily completed a firearms training course and
45 shall annually qualify in the use of a revolver or similar weapon.
46 For purposes of this subsection, a "firearms training course" means
47 a course of instruction in the safe use, maintenance and storage of
48 firearms which is approved by the Police Training Commission.

1 The commission shall approve a firearms training course if the
2 requirements of the course are substantially equivalent to the
3 requirements for firearms training provided by police training
4 courses which are certified under section 6 of P.L.1961, c.56
5 (C.52:17B-71). A person who is specified in paragraph (1), (2), (3)
6 or (6) of subsection a. of this section shall be exempt from the
7 requirements of this subsection.

8 k. Nothing in subsection d. of N.J.S.2C:39-5 shall be construed
9 to prevent any financial institution, or any duly authorized
10 personnel of the institution, from possessing, carrying or using for
11 the protection of money or property, any device which projects,
12 releases or emits tear gas or other substances intended to produce
13 temporary physical discomfort or temporary identification.

14 l. Nothing in subsection b. of N.J.S.2C:39-5 shall be construed
15 to prevent a law enforcement officer who retired in good standing,
16 including a retirement because of a disability pursuant to section 6
17 of P.L.1944, c.255 (C.43:16A-6), section 7 of P.L.1944, c.255
18 (C.43:16A-7), section 1 of P.L.1989, c.103 (C.43:16A-6.1) or any
19 substantially similar statute governing the disability retirement of
20 federal law enforcement officers, provided the officer was a
21 regularly employed, full-time law enforcement officer for an
22 aggregate of four or more years prior to his disability retirement and
23 further provided that the disability which constituted the basis for
24 the officer's retirement did not involve a certification that the officer
25 was mentally incapacitated for the performance of his usual law
26 enforcement duties and any other available duty in the department
27 which his employer was willing to assign to him or does not subject
28 that retired officer to any of the disabilities set forth in subsection c.
29 of N.J.S.2C:58-3 which would disqualify the retired officer from
30 possessing or carrying a firearm, who semi-annually qualifies in the
31 use of the handgun he is permitted to carry in accordance with the
32 requirements and procedures established by the Attorney General
33 pursuant to subsection j. of this section and pays the actual costs
34 associated with those semi-annual qualifications, who is 75 years of
35 age or younger, and who was regularly employed as a full-time
36 member of the State Police; a full-time member of an interstate
37 police force; a full-time member of a county or municipal police
38 department in this State; a full-time member of a State law
39 enforcement agency; a full-time sheriff, undersheriff or sheriff's
40 officer of a county of this State; a full-time State or county
41 corrections officer; a full-time county park police officer; a full-
42 time county prosecutor's detective or investigator; a full-time
43 federal law enforcement officer; or is a qualified retired law
44 enforcement officer, as used in the federal "Law Enforcement
45 Officers Safety Act of 2004," Pub.L. 108-277, domiciled in this
46 State from carrying a handgun in the same manner as law
47 enforcement officers exempted under paragraph (7) of subsection a.
48 of this section under the conditions provided herein:

1 (1) The retired law enforcement officer shall make application
2 in writing to the Superintendent of State Police for approval to carry
3 a handgun for one year. An application for annual renewal shall be
4 submitted in the same manner.

5 (2) Upon receipt of the written application of the retired law
6 enforcement officer, the superintendent shall request a verification
7 of service from the chief law enforcement officer of the
8 organization in which the retired officer was last regularly
9 employed as a full-time law enforcement officer prior to retiring.
10 The verification of service shall include:

11 (a) The name and address of the retired officer;

12 (b) The date that the retired officer was hired and the date that
13 the officer retired;

14 (c) A list of all handguns known to be registered to that officer;

15 (d) A statement that, to the reasonable knowledge of the chief
16 law enforcement officer, the retired officer is not subject to any of
17 the restrictions set forth in subsection c. of N.J.S.2C:58-3; and

18 (e) A statement that the officer retired in good standing.

19 (3) If the superintendent approves a retired officer's application
20 or reapplication to carry a handgun pursuant to the provisions of
21 this subsection, the superintendent shall notify in writing the chief
22 law enforcement officer of the municipality wherein that retired
23 officer resides. In the event the retired officer resides in a
24 municipality which has no chief law enforcement officer or law
25 enforcement agency, the superintendent shall maintain a record of
26 the approval.

27 (4) The superintendent shall issue to an approved retired officer
28 an identification card permitting the retired officer to carry a
29 handgun pursuant to this subsection. This identification card shall
30 be valid for one year from the date of issuance and shall be valid
31 throughout the State. The identification card shall not be
32 transferable to any other person. The identification card shall be
33 carried at all times on the person of the retired officer while the
34 retired officer is carrying a handgun. The retired officer shall
35 produce the identification card for review on the demand of any law
36 enforcement officer or authority.

37 (5) Any person aggrieved by the denial of the superintendent of
38 approval for a permit to carry a handgun pursuant to this subsection
39 may request a hearing in the Superior Court of New Jersey in the
40 county in which he resides by filing a written request for such a
41 hearing within 30 days of the denial. Copies of the request shall be
42 served upon the superintendent and the county prosecutor. The
43 hearing shall be held within 30 days of the filing of the request, and
44 no formal pleading or filing fee shall be required. Appeals from the
45 determination of such a hearing shall be in accordance with law and
46 the rules governing the courts of this State.

47 (6) A judge of the Superior Court may revoke a retired officer's
48 privilege to carry a handgun pursuant to this subsection for good

1 cause shown on the application of any interested person. A person
2 who becomes subject to any of the disabilities set forth in
3 subsection c. of N.J.S.2C:58-3 shall surrender, as prescribed by the
4 superintendent, his identification card issued under paragraph (4) of
5 this subsection to the chief law enforcement officer of the
6 municipality wherein he resides or the superintendent, and shall be
7 permanently disqualified to carry a handgun under this subsection.

8 (7) The superintendent may charge a reasonable application fee
9 to retired officers to offset any costs associated with administering
10 the application process set forth in this subsection.

11 m. Nothing in subsection d. of N.J.S.2C:39-5 shall be construed
12 to prevent duly authorized personnel of the New Jersey Division of
13 Fish and Wildlife, while in the actual performance of duties, from
14 possessing, transporting or using any device that projects, releases
15 or emits any substance specified as being non-injurious to wildlife
16 by the Director of the Division of Animal Health in the Department
17 of Agriculture, and which may immobilize wildlife and produces
18 only temporary physical discomfort through being vaporized or
19 otherwise dispensed in the air for the purpose of repelling bear or
20 other animal attacks or for the aversive conditioning of wildlife.

21 n. Nothing in subsection b., c., d. or e. of N.J.S.2C:39-5 shall
22 be construed to prevent duly authorized personnel of the New
23 Jersey Division of Fish and Wildlife, while in the actual
24 performance of duties, from possessing, transporting or using hand
25 held pistol-like devices, rifles or shotguns that launch pyrotechnic
26 missiles for the sole purpose of frightening, hazing or aversive
27 conditioning of nuisance or depredating wildlife; from possessing,
28 transporting or using rifles, pistols or similar devices for the sole
29 purpose of chemically immobilizing wild or non-domestic animals;
30 or, provided the duly authorized person complies with the
31 requirements of subsection j. of this section, from possessing,
32 transporting or using rifles or shotguns, upon completion of a Police
33 Training Commission approved training course, in order to dispatch
34 injured or dangerous animals or for non-lethal use for the purpose
35 of frightening, hazing or aversive conditioning of nuisance or
36 depredating wildlife.

37 (cf: P.L.2007, c.314, s.1)

38
39 2. Section 1 of P.L.1981, c.409 (C.40A:14-7.1) is amended to
40 read as follows:

41 1. a. The governing body of any municipality which has
42 established a paid or part-paid fire department or force may, by
43 ordinance, create an arson investigation unit within the fire
44 department or force and provide for the maintenance, regulation and
45 control thereof. The arson investigation unit shall be responsible
46 for conducting investigations of arson, suspicious fires or
47 explosions within the municipality.

