

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1280

STATE OF NEW JERSEY

DATED: DECEMBER 13, 2021

The Assembly Judiciary Committee reports favorably Assembly Bill No. 1280.

This bill revises the definition of "destructive device" so that it includes weapons of 50 caliber or greater. Under the bill and subsection a. of N.J.S.2C:39-3, it would be unlawful to possess a firearm having a caliber of 50 or greater.

Under the revised definition, a 50 caliber or greater weapon includes any weapon capable of firing a center-fire cartridge of a caliber of 50 or greater, including any metric equivalent of 50 caliber or greater, that is capable of firing a projectile that attains a muzzle energy of 12,000 foot-pounds or greater in any combination of bullet, propellant, case, or primer. The definition also includes any copy or duplicate of any such weapon, regardless of the caliber, which fires any projectile that attains a muzzle energy of 12,000 foot-pounds or greater. The prohibition on 50 caliber or greater weapons will not apply to a smooth bore shotgun or rifle barrel shotgun or any shotgun ammunition generally recognized as suitable for sporting purposes in this State.

Under the provisions of the bill, a person who purchased or acquired a weapon that has been prohibited with the enactment of this bill may retain that weapon if he or she registers it with law enforcement. The registration fee is \$50. A person who chooses not to register his or her prohibited weapon has one year in which to lawfully sell the weapon, render it inoperable, or voluntarily surrender the weapon to law enforcement.

When a registrant dies, the heirs or estate are to dispose of the weapon by either selling it, rendering it inoperable, or voluntarily surrendering it.

The registrant of a prohibited weapon may be held civilly liable if it is used in the commission of a crime.

This liability does not apply: (1) if the weapon used in the crime was stolen and the registrant reported the theft to law enforcement within 36 hours of the registrant's knowledge of the theft or (2) prior to the commission of the crime, the registrant lawfully transferred the weapon to another person.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.