

# ASSEMBLY, No. 1292

## STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Assemblyman GORDON M. JOHNSON**

**District 37 (Bergen)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

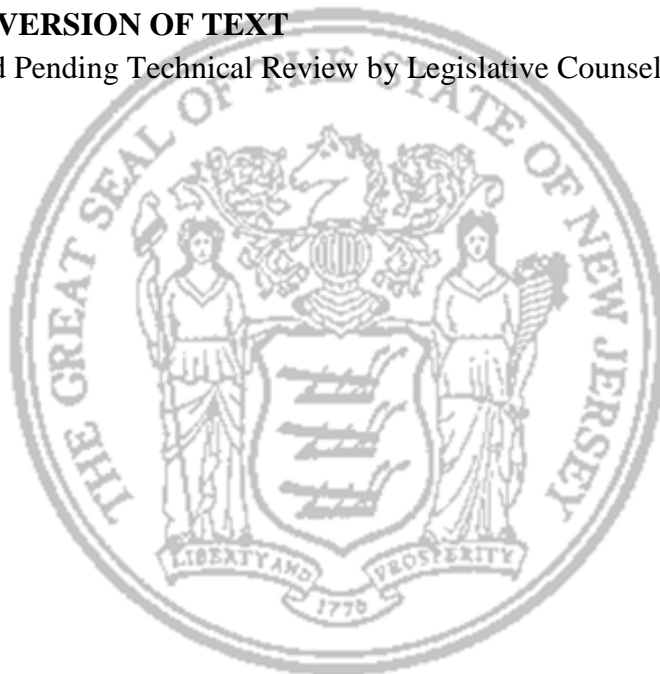
**Assemblywoman Jasey, Assemblymen McKeon, Zwicker, Tully,  
Assemblywomen Chaparro, Swain, Carter and Vainieri Huttie**

**SYNOPSIS**

Regulates sale of handgun ammunition and develops system for electronic reporting of firearm information.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 12/13/2021)**

1 AN ACT concerning the sale of ammunition, amending N.J.S.2C:58-  
2 1, N.J.S.2C:58-2, N.J.S.2C:58-3, and P.L.2007, c.318, and  
3 supplementing 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 1. N.J.S.2C:58-1 is amended to read as follows:

9 2C:58-1. Registration of manufacturers and wholesale dealers of  
10 firearms

11 a. Registration. Every manufacturer and wholesale dealer of  
12 firearms shall register with the superintendent as provided in this  
13 section. No person shall engage in the business of, or act as a  
14 manufacturer or wholesale dealer of firearms, or manufacture or sell  
15 at wholesale any firearm, until he has so registered.

16 Applications for registration shall be made on such forms as  
17 shall be prescribed by the superintendent, and the applicant shall  
18 furnish such information and other particulars as may be prescribed  
19 by law or by any rules or regulations promulgated by the  
20 superintendent. Each application for registration or renewal shall  
21 be accompanied by a fee of \$150.00.

22 The superintendent shall prescribe standards and qualifications  
23 for the registration of manufacturers and wholesalers of firearms,  
24 for the protection of the public safety, health and welfare. He shall  
25 refuse to register any applicant for registration unless he is satisfied  
26 that the applicant can be permitted to engage in business as a  
27 manufacturer or wholesale dealer of firearms without any danger to  
28 the public safety, health or welfare.

29 The superintendent shall issue a certificate of registration to  
30 every person registered under this section, and such certificate shall  
31 be valid for a period of 3 years from the date of issuance.

32 b. Wholesale dealer's agent. Every registered wholesale dealer  
33 of firearms shall cause each of his agents or employees actively  
34 engaged in the purchase or sale of firearms to be licensed with the  
35 superintendent as a wholesale dealer's agent. Applications for  
36 agents' licenses shall be submitted on such forms as shall be  
37 prescribed by the superintendent, and shall be signed by the  
38 registered wholesale dealer and by the agent. Each application shall  
39 be accompanied by a fee of \$5.00, and each license shall be valid  
40 for so long as the agent or employee remains in the employ of the  
41 wholesale dealer and the wholesale dealer remains validly  
42 registered under this section. The superintendent shall prescribe  
43 standards and qualifications for licensed wholesale dealers' agents,  
44 for the protection of the public safety, health and welfare.

45 c. Revocation of certificate of registration or license.

**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 The superintendent may, after reasonable notice to all affected  
2 parties and a hearing if requested, revoke any certificate of  
3 registration or agent's license if he finds that the registered or  
4 licensed person is no longer engaged in the business of  
5 manufacturing or wholesaling firearms in this State or that he can  
6 no longer be permitted to carry on such business without  
7 endangering the public safety, health or welfare. A certificate or  
8 license may be canceled at any time at the request of the registered  
9 or licensed person.

10 d. Appeals. Any person aggrieved by the refusal of the  
11 superintendent to register him as a manufacturer or wholesale dealer  
12 or a wholesale dealer's agent, or by revocation of his certificate or  
13 license, may appeal to the Appellate Division of the Superior Court.

14 e. Records of sales. Every manufacturer and wholesale dealer  
15 shall keep a detailed record of each firearm and all handgun  
16 ammunition sold by **him** the manufacturer and dealer. The  
17 firearm record shall include the date of sale, the name and address  
18 of the purchaser, a description of each firearm and the firearm's  
19 serial number [thereof]. The handgun ammunition record shall be  
20 in electronic form and shall contain the date of the transaction; the  
21 type, caliber, or gauge of the ammunition; the quantity of  
22 ammunition sold; the name and address of the purchaser; and any  
23 other information the superintendent shall deem necessary for the  
24 proper enforcement of this chapter. The records shall be available  
25 for inspection at all reasonable times by any law enforcement  
26 officer.

27 Every manufacturer and wholesale dealer shall establish a system  
28 for maintaining electronic records pursuant to this subsection within  
29 12 months of the effective date of P.L. , c. (C. ) (pending  
30 before the Legislature as this bill).

31 (cf: N.J.S.2C:58-1)

32

33 2. N.J.S.2C:58-2 is amended to read as follows:

34 2C:58-2. a. Licensing of retail dealers and their employees.  
35 No retail dealer of firearms nor any employee of a retail dealer shall  
36 sell or expose for sale, or possess with the intent of selling, any  
37 firearm unless licensed to do so as hereinafter provided. The  
38 superintendent shall prescribe standards and qualifications for retail  
39 dealers of firearms and their employees for the protection of the  
40 public safety, health and welfare.

41 Applications shall be made in the form prescribed by the  
42 superintendent, accompanied by a fee of \$50 payable to the  
43 superintendent, and shall be made to a judge of the Superior Court  
44 in the county where the applicant maintains his place of business.  
45 The judge shall grant a license to an applicant if he finds that the  
46 applicant meets the standards and qualifications established by the  
47 superintendent and that the applicant can be permitted to engage in  
48 business as a retail dealer of firearms or employee thereof without

1 any danger to the public safety, health and welfare. Each license  
2 shall be valid for a period of three years from the date of issuance,  
3 and shall authorize the holder to sell firearms at retail in a specified  
4 municipality.

5 In addition, every retail dealer shall pay a fee of \$5 for each  
6 employee actively engaged in the sale or purchase of firearms. The  
7 superintendent shall issue a license for each employee for whom  
8 said fee has been paid, which license shall be valid for so long as  
9 the employee remains in the employ of said retail dealer.

10 No license shall be granted to any retail dealer under the age of  
11 21 years or to any employee of a retail dealer under the age of 18 or  
12 to any person who could not qualify to obtain a permit to purchase a  
13 handgun or a firearms purchaser identification card, or to any  
14 corporation, partnership or other business organization in which the  
15 actual or equitable controlling interest is held or possessed by such  
16 an ineligible person.

17 All licenses shall be granted subject to the following conditions,  
18 for breach of any of which the license shall be subject to revocation  
19 on the application of any law enforcement officer and after notice  
20 and hearing by the issuing court:

21 (1) The business shall be carried on only in the building or  
22 buildings designated in the license, provided that repairs may be  
23 made by the dealer or his employees outside of such premises.

24 (2) The license or a copy certified by the issuing authority shall  
25 be displayed at all times in a conspicuous place on the business  
26 premises where it can be easily read.

27 (3) No firearm or imitation thereof shall be placed in any  
28 window or in any other part of the premises where it can be readily  
29 seen from the outside.

30 (4) No rifle or shotgun, except antique rifles or shotguns, shall  
31 be delivered to any person unless such person possesses and  
32 exhibits a valid firearms purchaser identification card and furnishes  
33 the seller, on the form prescribed by the superintendent, a  
34 certification signed by him setting forth his name, permanent  
35 address, firearms purchaser identification card number and such  
36 other information as the superintendent may by rule or regulation  
37 require. The certification shall be retained by the dealer and shall  
38 be made available for inspection by any law enforcement officer at  
39 any reasonable time.

40 (5) No handgun shall be delivered to any person unless:

41 (a) Such person possesses and exhibits a valid permit to  
42 purchase a firearm and at least seven days have elapsed since the  
43 date of application for the permit;

44 (b) The person is personally known to the seller or presents  
45 evidence of his identity;

46 (c) The handgun is unloaded and securely wrapped;

47 (d) Except as otherwise provided in subparagraph (e) of this  
48 paragraph, the handgun is accompanied by a trigger lock or a locked

1 case, gun box, container or other secure facility; provided, however,  
2 this provision shall not apply to antique handguns. The exemption  
3 afforded under this subparagraph for antique handguns shall be  
4 narrowly construed, limited solely to the requirements set forth  
5 herein and shall not be deemed to afford or authorize any other  
6 exemption from the regulatory provisions governing firearms set  
7 forth in chapter 39 and chapter 58 of Title 2C of the New Jersey  
8 Statutes; and

9 (e) On and after the first day of the sixth month following the  
10 date on which the list of personalized handguns is prepared and  
11 delivered pursuant to section 3 of P.L.2002, c.130 (C.2C:58-2.4),  
12 the handgun is identified as a personalized handgun and included on  
13 that list or is an antique handgun. The provisions of subparagraph  
14 (d) of this section shall not apply to the delivery of a personalized  
15 handgun.

16 (6) The dealer shall keep a true record of every handgun sold,  
17 given or otherwise delivered or disposed of, in accordance with the  
18 provisions of subsections b. through e. of this section and the record  
19 shall note whether a trigger lock, locked case, gun box, container or  
20 other secure facility was delivered along with the handgun.

21 (7) A dealer shall not knowingly deliver more than one handgun  
22 to any person within any 30-day period. This limitation shall not  
23 apply to:

24 (a) a federal, State, or local law enforcement officer or agency  
25 purchasing handguns for use by officers in the actual performance  
26 of their law enforcement duties;

27 (b) a collector of handguns as curios or relics as defined in Title  
28 18, United States Code, section 921 (a) (13) who has in his  
29 possession a valid Collector of Curios and Relics License issued by  
30 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

31 (c) transfers of handguns among licensed retail dealers,  
32 registered wholesale dealers and registered manufacturers;

33 (d) any transaction where the person has purchased a handgun  
34 from a licensed retail dealer and has returned that handgun to the  
35 dealer in exchange for another handgun within 30 days of the  
36 original transaction, provided the retail dealer reports the exchange  
37 transaction to the superintendent; or

38 (e) any transaction where the superintendent issues an  
39 exemption from the prohibition in this subsection pursuant to the  
40 provisions of section 4 of P.L.2009, c.186 (C.2C:58-3.4).

41 b. Records. (1) Every person engaged in the retail business of  
42 selling, leasing or otherwise transferring a handgun, as a retail  
43 dealer or otherwise, shall keep a register in which shall be entered  
44 the time of the sale, lease or other transfer, the date thereof, the  
45 name, age, date of birth, occupation, residence and a physical  
46 description including distinguishing physical characteristics, if any,  
47 of the purchaser, lessee or transferee, the name and permanent home  
48 address of the person making the sale, lease or transfer, the place of

1 the transaction, and the make, model, manufacturer's number,  
2 caliber and other marks of identification on such handgun and such  
3 other information as the superintendent shall deem necessary for the  
4 proper enforcement of this chapter. The register shall be retained by  
5 the dealer and shall be made available at all reasonable hours for  
6 inspection by any law enforcement officer.

7 (2) Every person engaged in the retail business of selling,  
8 leasing, or otherwise transferring handgun ammunition, as a retail  
9 dealer or otherwise, shall keep an electronic record in which shall  
10 be entered the name of the manufacturer; the date of the transaction;  
11 the type; caliber or gauge of the ammunition; the quantity of the  
12 ammunition sold; the name, address, and date of birth of the  
13 purchaser; the identification used to establish the identity of the  
14 purchaser; and any other information the superintendent shall deem  
15 necessary for the proper enforcement of this chapter. The electronic  
16 records shall be retained by the dealer and shall be made available  
17 at all reasonable hours for inspection by any law enforcement  
18 officer, and additionally shall be electronically reported to the  
19 superintendent in accordance with section 4 of P.L. , c. (C. )  
20 (pending before the Legislature as this bill).

21 c. Forms of register.

22 **【The】** (1) Until the implementation of the electronic record  
23 system described in paragraph (2) of subsection b. of this section or  
24 section 4 of P.L. , c. (C. ) (pending before the Legislature as  
25 this bill), the superintendent shall prepare the form of the register as  
26 described in paragraph (1) of subsection b. of this section and  
27 furnish the same in triplicate to each person licensed to be engaged  
28 in the business of selling, leasing or otherwise transferring firearms.

29 (2) All retail dealers of handgun ammunition shall establish a  
30 system for maintaining electronic records of the sale or transfer of  
31 handgun ammunition within 12 months after the effective date of  
32 P.L. , c. (C. ) (pending before the Legislature as this bill).

33 d. Signatures in register. **【The】** Until the dealer implements an  
34 electronic record system as described in paragraph (2) of subsection  
35 b. of this section or section 4 of P.L. , c. (C. ) (pending  
36 before the Legislature as this bill), the purchaser, lessee or  
37 transferee of any handgun shall sign, and the dealer shall require  
38 him to sign his name to the register, in triplicate, and the person  
39 making the sale, lease or transfer shall affix his name, in triplicate,  
40 as a witness to the signature. The signatures, or the entry of an  
41 electronic signature in the electronic record system pursuant to  
42 paragraph (2) of subsection b. of this section or section 4 of P.L. ,  
43 c. (C. ) (pending before the Legislature as this bill), shall  
44 constitute a representation of the accuracy of the information  
45 contained in the register.

46 e. Copies of register entries; delivery to chief of police or  
47 county clerk.

1        **【Within】** (1) Except as otherwise provided in paragraph (2) of  
2 this subsection, within five days of the date of the sale, assignment  
3 or transfer, the dealer shall deliver or mail by certified mail, return  
4 receipt requested, legible copies of the register forms to the office  
5 of the chief of police of the municipality in which the purchaser  
6 resides, or to the office of the captain of the precinct of the  
7 municipality in which the purchaser resides, and to the  
8 superintendent. If hand delivered a receipt shall be given to the  
9 dealer therefor.

10        Where a sale, assignment or transfer is made to a purchaser who  
11 resides in a municipality having no chief of police, the dealer shall,  
12 within five days of the transaction, mail a duplicate copy of the  
13 register sheet to the clerk of the county within which the purchaser  
14 resides.

15        (2) A dealer shall not be required to use the triplicate form after  
16 the dealer establishes an electronic reporting system pursuant to  
17 paragraph (2) of subsection b. of this section or section 4 of P.L. ,  
18 c. (C. ) (pending before the Legislature as this bill).  
19 (cf: P.L.2009, c.186, s.1)

20

21        3. N.J.S.2C:58-3 is amended to read as follows:

22        2C:58-3. a. Permit to purchase a handgun.

23        (1) No person shall sell, give, transfer, assign or otherwise  
24 dispose of, nor receive, purchase, or otherwise acquire a handgun  
25 unless the purchaser, assignee, donee, receiver or holder is licensed  
26 as a dealer under this chapter or has first secured a permit to  
27 purchase a handgun as provided by this section.

28        (2) A person who is not a licensed retail dealer and sells, gives,  
29 transfers, assigns, or otherwise disposes of, or receives, purchases  
30 or otherwise acquires a handgun pursuant to this section shall  
31 conduct the transaction through a licensed retail dealer.

32        The provisions of this paragraph shall not apply if the transaction  
33 is:

34        (a) between members of an immediate family as defined in  
35 subsection n. of this section;

36        (b) between law enforcement officers;

37        (c) between collectors of firearms or ammunition as curios or  
38 relics as defined in Title 18, U.S.C. section 921 (a) (13) who have  
39 in their possession a valid Collector of Curios and Relics License  
40 issued by the Bureau of Alcohol, Tobacco, Firearms, and  
41 Explosives; or

42        (d) a temporary transfer pursuant to section 1 of P.L.1992,  
43 c.74 (C.2C:58-3.1) or section 1 of P.L.1997, c.375 (C.2C:58-3.2).

44        (3) Prior to a transaction conducted pursuant to this subsection,  
45 the retail dealer shall complete a National Instant Criminal  
46 Background Check of the person acquiring the handgun. In  
47 addition:

1 (a) the retail dealer shall submit to the Superintendent of State  
2 Police, on a form approved by the superintendent, information  
3 identifying and confirming the background check;

4 (b) every retail dealer shall maintain a record of transactions  
5 conducted pursuant to this subsection, which shall be maintained at  
6 the address displayed on the retail dealer's license for inspection by  
7 a law enforcement officer during reasonable hours;

8 (c) a retail dealer may charge a fee for a transaction conducted  
9 pursuant to this subsection; and

10 (d) any record produced pursuant to this subsection shall not be  
11 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et  
12 seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

13 b. Firearms purchaser identification card.

14 (1) No person shall sell, give, transfer, assign or otherwise  
15 dispose of nor receive, purchase or otherwise acquire an antique  
16 cannon or a rifle or shotgun, other than an antique rifle or shotgun,  
17 unless the purchaser, assignee, donee, receiver or holder is licensed  
18 as a dealer under this chapter or possesses a valid firearms  
19 purchaser identification card, and first exhibits the card to the seller,  
20 donor, transferor or assignor, and unless the purchaser, assignee,  
21 donee, receiver or holder signs a written certification, on a form  
22 prescribed by the superintendent, which shall indicate that he  
23 presently complies with the requirements of subsection c. of this  
24 section and shall contain his name, address and firearms purchaser  
25 identification card number or dealer's registration number. The  
26 certification shall be retained by the seller, as provided in paragraph  
27 (4) of subsection a. of N.J.S.2C:58-2, or, in the case of a person  
28 who is not a dealer, it may be filed with the chief of police of the  
29 municipality in which he resides or with the superintendent.

30 (2) A person who is not a licensed retail dealer and sells, gives,  
31 transfers, assigns, or otherwise disposes of, or receives, purchases  
32 or otherwise acquires an antique cannon or a rifle or shotgun  
33 pursuant to this section shall conduct the transaction through a  
34 licensed retail dealer.

35 The provisions of this paragraph shall not apply if the transaction  
36 is:

37 (a) between members of an immediate family as defined in  
38 subsection n. of this section;

39 (b) between law enforcement officers;

40 (c) between collectors of firearms or ammunition as curios or  
41 relics as defined in Title 18, U.S.C. section 921 (a) (13) who have  
42 in their possession a valid Collector of Curios and Relics License  
43 issued by the Bureau of Alcohol, Tobacco, Firearms, and  
44 Explosives; or

45 (d) a temporary transfer pursuant to section 1 of P.L.1992,  
46 c.74 (C.2C:58-3.1) and section 1 of P.L.1997, c.375 (C.2C:58-3.2).

47 (3) Prior to a transaction conducted pursuant to this subsection,  
48 the retail dealer shall complete a National Instant Criminal



- 1 Background Check of the person acquiring an antique cannon or a  
2 rifle or shotgun. In addition:
- 3 (a) the retail dealer shall submit to the Superintendent of State  
4 Police, on a form approved by the superintendent, information  
5 identifying and confirming the background check;
- 6 (b) every retail dealer shall maintain a record of transactions  
7 conducted pursuant to this section which shall be maintained at the  
8 address set forth on the retail dealer's license for inspection by a law  
9 enforcement officer during reasonable hours;
- 10 (c) a retail dealer may charge a fee for a transaction conducted  
11 pursuant to this subsection; and
- 12 (d) any record produced pursuant to this subsection shall not be  
13 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et  
14 seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).
- 15 c. Who may obtain. No person of good character and good  
16 repute in the community in which he lives, and who is not subject to  
17 any of the disabilities set forth in this section or other sections of  
18 this chapter, shall be denied a permit to purchase a handgun or a  
19 firearms purchaser identification card, except as hereinafter set  
20 forth. No handgun purchase permit or firearms purchaser  
21 identification card shall be issued:
- 22 (1) To any person who has been convicted of any crime, or a  
23 disorderly persons offense involving an act of domestic violence as  
24 defined in section 3 of P.L.1991, c.261 (C.2C:25-19), whether or  
25 not armed with or possessing a weapon at the time of the offense;
- 26 (2) To any drug dependent person as defined in section 2 of  
27 P.L.1970, c.226 (C.24:21-2), to any person who is confined for a  
28 mental disorder to a hospital, mental institution or sanitarium, or to  
29 any person who is presently an habitual drunkard;
- 30 (3) To any person who suffers from a physical defect or disease  
31 which would make it unsafe for him to handle firearms, to any  
32 person who has ever been confined for a mental disorder, or to any  
33 alcoholic unless any of the foregoing persons produces a certificate  
34 of a medical doctor or psychiatrist licensed in New Jersey, or other  
35 satisfactory proof, that he is no longer suffering from that particular  
36 disability in a manner that would interfere with or handicap him in  
37 the handling of firearms; to any person who knowingly falsifies any  
38 information on the application form for a handgun purchase permit  
39 or firearms purchaser identification card;
- 40 (4) To any person under the age of 18 years for a firearms  
41 purchaser identification card and to any person under the age of 21  
42 years for a permit to purchase a handgun;
- 43 (5) To any person where the issuance would not be in the  
44 interest of the public health, safety or welfare;
- 45 (6) To any person who is subject to a restraining order issued  
46 pursuant to the "Prevention of Domestic Violence Act of 1991,"  
47 P.L.1991, c.261 (C.2C:25-17 et seq.) prohibiting the person from  
48 possessing any firearm;

1 (7) To any person who as a juvenile was adjudicated delinquent  
2 for an offense which, if committed by an adult, would constitute a  
3 crime and the offense involved the unlawful use or possession of a  
4 weapon, explosive or destructive device or is enumerated in  
5 subsection d. of section 2 of P.L.1997, c.117 (C.2C:43-7.2);

6 (8) To any person whose firearm is seized pursuant to the  
7 "Prevention of Domestic Violence Act of 1991," P.L.1991,  
8 c.261 (C.2C:25-17 et seq.) and whose firearm has not been  
9 returned; or

10 (9) To any person named on the consolidated Terrorist Watchlist  
11 maintained by the Terrorist Screening Center administered by the  
12 Federal Bureau of Investigation; or

13 (10) To any person who is subject to a court order prohibiting  
14 the custody, control, ownership, purchase, possession, or receipt of  
15 a firearm or ammunition issued pursuant to the "Extreme Risk  
16 Protective Order Act of 2018," P.L.2018, c.35 (C.2C:58-20 et al.).

17 d. Issuance. The chief of police of an organized full-time  
18 police department of the municipality where the applicant resides or  
19 the superintendent, in all other cases, shall upon application, issue  
20 to any person qualified under the provisions of subsection c. of this  
21 section a permit to purchase a handgun or a firearms purchaser  
22 identification card.

23 Any person aggrieved by the denial of a permit or identification  
24 card may request a hearing in the Superior Court of the county in  
25 which he resides if he is a resident of New Jersey or in the Superior  
26 Court of the county in which his application was filed if he is a  
27 nonresident. The request for a hearing shall be made in writing  
28 within 30 days of the denial of the application for a permit or  
29 identification card. The applicant shall serve a copy of his request  
30 for a hearing upon the chief of police of the municipality in which  
31 he resides, if he is a resident of New Jersey, and upon the  
32 superintendent in all cases. The hearing shall be held and a record  
33 made thereof within 30 days of the receipt of the application for a  
34 hearing by the judge of the Superior Court. No formal pleading and  
35 no filing fee shall be required as a preliminary to a hearing.  
36 Appeals from the results of a hearing shall be in accordance with  
37 law.

38 e. Applications. Applications for permits to purchase a  
39 handgun and for firearms purchaser identification cards shall be in  
40 the form prescribed by the superintendent and shall set forth the  
41 name, residence, place of business, age, date of birth, occupation,  
42 sex and physical description, including distinguishing physical  
43 characteristics, if any, of the applicant, and shall state whether the  
44 applicant is a citizen, whether he is an alcoholic, habitual drunkard,  
45 drug dependent person as defined in section 2 of P.L.1970,  
46 c.226 (C.24:21-2), whether he has ever been confined or committed  
47 to a mental institution or hospital for treatment or observation of a  
48 mental or psychiatric condition on a temporary, interim or

1 permanent basis, giving the name and location of the institution or  
2 hospital and the dates of confinement or commitment, whether he  
3 has been attended, treated or observed by any doctor or psychiatrist  
4 or at any hospital or mental institution on an inpatient or outpatient  
5 basis for any mental or psychiatric condition, giving the name and  
6 location of the doctor, psychiatrist, hospital or institution and the  
7 dates of the occurrence, whether he presently or ever has been a  
8 member of any organization which advocates or approves the  
9 commission of acts of force and violence to overthrow the  
10 Government of the United States or of this State, or which seeks to  
11 deny others their rights under the Constitution of either the United  
12 States or the State of New Jersey, whether he has ever been  
13 convicted of a crime or disorderly persons offense, whether the  
14 person is subject to a restraining order issued pursuant to the  
15 "Prevention of Domestic Violence Act of 1991," P.L.1991,  
16 c.261 (C.2C:25-17 et seq.) prohibiting the person from possessing  
17 any firearm, whether the person is subject to a protective order  
18 issued pursuant to the "Extreme Risk Protective Order Act of  
19 2018," P.L.2018, c.35 (C.2C:58-20 et al.) prohibiting the person  
20 from possessing any firearm, and other information as the  
21 superintendent shall deem necessary for the proper enforcement of  
22 this chapter. For the purpose of complying with this subsection, the  
23 applicant shall waive any statutory or other right of confidentiality  
24 relating to institutional confinement. The application shall be  
25 signed by the applicant and shall contain as references the names  
26 and addresses of two reputable citizens personally acquainted with  
27 him.

28 Application blanks shall be obtainable from the superintendent,  
29 from any other officer authorized to grant a permit or identification  
30 card, and from licensed retail dealers, or shall be made available  
31 through an online process established or made available by the  
32 superintendent.

33 The chief police officer or the superintendent shall obtain the  
34 fingerprints of the applicant and shall have them compared with any  
35 and all records of fingerprints in the municipality and county in  
36 which the applicant resides and also the records of the State Bureau  
37 of Identification and the Federal Bureau of Investigation, provided  
38 that an applicant for a handgun purchase permit who possesses a  
39 valid firearms purchaser identification card, or who has previously  
40 obtained a handgun purchase permit from the same licensing  
41 authority for which he was previously fingerprinted, and who  
42 provides other reasonably satisfactory proof of his identity, need not  
43 be fingerprinted again; however, the chief police officer or the  
44 superintendent shall proceed to investigate the application to  
45 determine whether or not the applicant has become subject to any of  
46 the disabilities set forth in this chapter.

47 f. Granting of permit or identification card; fee; term; renewal;  
48 revocation. The application for the permit to purchase a handgun

1 together with a fee of \$2, or the application for the firearms  
2 purchaser identification card together with a fee of \$5, shall be  
3 delivered or forwarded to the licensing authority who shall  
4 investigate the same and, unless good cause for the denial thereof  
5 appears, shall grant the permit or the identification card, or both, if  
6 application has been made therefor, within 30 days from the date of  
7 receipt of the application for residents of this State and within 45  
8 days for nonresident applicants. A permit to purchase a handgun  
9 shall be valid for a period of 90 days from the date of issuance and  
10 may be renewed by the issuing authority for good cause for an  
11 additional 90 days. A firearms purchaser identification card shall  
12 be valid until such time as the holder becomes subject to any of the  
13 disabilities set forth in subsection c. of this section, whereupon the  
14 card shall be void and shall be returned within five days by the  
15 holder to the superintendent, who shall then advise the licensing  
16 authority. Failure of the holder to return the firearms purchaser  
17 identification card to the superintendent within the five days shall  
18 be an offense under subsection a. of N.J.S.2C:39-10. Any firearms  
19 purchaser identification card may be revoked by the Superior Court  
20 of the county wherein the card was issued, after hearing upon  
21 notice, upon a finding that the holder thereof no longer qualifies for  
22 the issuance of the permit. The county prosecutor of any county,  
23 the chief police officer of any municipality or any citizen may apply  
24 to the court at any time for the revocation of the card.

25 There shall be no conditions or requirements added to the form  
26 or content of the application, or required by the licensing authority  
27 for the issuance of a permit or identification card, other than those  
28 that are specifically set forth in this chapter.

29 g. Disposition of fees. All fees for permits shall be paid to the  
30 State Treasury if the permit is issued by the superintendent, to the  
31 municipality if issued by the chief of police, and to the county  
32 treasurer if issued by the judge of the Superior Court.

33 h. Form of permit; quadruplicate; disposition of copies.

34 **【The】** (1) Except as otherwise provided in paragraph (2) of this  
35 subsection, the permit shall be in the form prescribed by the  
36 superintendent and shall be issued to the applicant in quadruplicate.  
37 Prior to the time he receives the handgun from the seller, the  
38 applicant shall deliver to the seller the permit in quadruplicate and  
39 the seller shall complete all of the information required on the form.  
40 Within five days of the date of the sale, the seller shall forward the  
41 original copy to the superintendent and the second copy to the chief  
42 of police of the municipality in which the purchaser resides, except  
43 that in a municipality having no chief of police, the copy shall be  
44 forwarded to the superintendent. The third copy shall then be  
45 returned to the purchaser with the pistol or revolver and the fourth  
46 copy shall be kept by the seller as a permanent record.

47 (2) The requirements of this subsection concerning the delivery  
48 and form of permit and disposition of copies shall not be applicable

1 when these functions may be completed by utilizing an electronic  
2 system as described in paragraph (2) of subsection b. of  
3 N.J.S.2C:58-2 or section 4 of P.L. , c. (C. ) (pending before  
4 the Legislature as this bill).

5 i. Restriction on number of firearms person may purchase.  
6 Only one handgun shall be purchased or delivered on each permit  
7 and no more than one handgun shall be purchased within any 30-  
8 day period, but this limitation shall not apply to:

9 (1) a federal, State, or local law enforcement officer or agency  
10 purchasing handguns for use by officers in the actual performance  
11 of their law enforcement duties;

12 (2) a collector of handguns as curios or relics as defined in Title  
13 18, United States Code, section 921 (a) (13) who has in his  
14 possession a valid Collector of Curios and Relics License issued by  
15 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

16 (3) transfers of handguns among licensed retail dealers,  
17 registered wholesale dealers and registered manufacturers;

18 (4) transfers of handguns from any person to a licensed retail  
19 dealer or a registered wholesale dealer or registered manufacturer;

20 (5) any transaction where the person has purchased a handgun  
21 from a licensed retail dealer and has returned that handgun to the  
22 dealer in exchange for another handgun within 30 days of the  
23 original transaction, provided the retail dealer reports the exchange  
24 transaction to the superintendent; or

25 (6) any transaction where the superintendent issues an  
26 exemption from the prohibition in this subsection pursuant to the  
27 provisions of section 4 of P.L.2009, c.186 (C.2C:58-3.4).

28 The provisions of this subsection shall not be construed to afford  
29 or authorize any other exemption from the regulatory provisions  
30 governing firearms set forth in chapter 39 and chapter 58 of Title  
31 2C of the New Jersey Statutes;

32 A person shall not be restricted as to the number of rifles or  
33 shotguns he may purchase, provided he possesses a valid firearms  
34 purchaser identification card and provided further that he signs the  
35 certification required in subsection b. of this section for each  
36 transaction.

37 j. Firearms passing to heirs or legatees. Notwithstanding any  
38 other provision of this section concerning the transfer, receipt or  
39 acquisition of a firearm, a permit to purchase or a firearms  
40 purchaser identification card shall not be required for the passing of  
41 a firearm upon the death of an owner thereof to his heir or legatee,  
42 whether the same be by testamentary bequest or by the laws of  
43 intestacy. The person who shall so receive, or acquire the firearm  
44 shall, however, be subject to all other provisions of this chapter. If  
45 the heir or legatee of the firearm does not qualify to possess or carry  
46 it, he may retain ownership of the firearm for the purpose of sale for  
47 a period not exceeding 180 days, or for a further limited period as  
48 may be approved by the chief law enforcement officer of the

1 municipality in which the heir or legatee resides or the  
2 superintendent, provided that the firearm is in the custody of the  
3 chief law enforcement officer of the municipality or the  
4 superintendent during that period.

5 k. Sawed-off shotguns. Nothing in this section shall be  
6 construed to authorize the purchase or possession of any sawed-off  
7 shotgun.

8 l. Nothing in this section and in N.J.S.2C:58-2 shall apply to  
9 the sale or purchase of a visual distress signalling device approved  
10 by the United States Coast Guard, solely for possession on a private  
11 or commercial aircraft or any boat; provided, however, that no  
12 person under the age of 18 years shall purchase nor shall any person  
13 sell to a person under the age of 18 years a visual distress signalling  
14 device.

15 m. The provisions of subsections a. and b. of this section and  
16 paragraphs (4) and (5) of subsection a. of N.J.S.2C:58-2 shall not  
17 apply to the purchase of firearms by a law enforcement agency for  
18 use by law enforcement officers in the actual performance of the  
19 officers' official duties, which purchase may be made directly from  
20 a manufacturer or from a licensed dealer located in this State or any  
21 other state.

22 n. For the purposes of this section, "immediate family" means a  
23 spouse, domestic partner as defined in section 3 of P.L.2003,  
24 c.246 (C.26:8A-3), partner in a civil union couple as defined in  
25 section 2 of P.L.2006, c.103 (C.37:1-29), parent, stepparent,  
26 grandparent, sibling, stepsibling, child, stepchild, and grandchild, as  
27 related by blood or by law.

28 (cf: P.L.2018, c.36, s.1)

29

30 4. Section 1 of P.L.2007, c.318 (C.2C:58-3.3) is amended to  
31 read as follows:

32 1. a. As used in this act **["handgun"]**:

33 "Ammunition" means an object consisting of all of the following  
34 components: a fixed metallic or nonmetallic hull casing containing  
35 a primer; one or more projectiles, one or more bullets, or shot; and  
36 gunpowder. All of the specified components shall be present for an  
37 object to be ammunition. As used in this section, ammunition shall  
38 not include, without limitation, blank ammunition, air gun pellets,  
39 flare gun ammunition, nail gun ammunition, paint ball ammunition,  
40 or any non-fixed ammunition.

41 "Handgun ammunition" means ammunition **[specifically]**  
42 designed **[to]** such that it may be used **[only]** in a handgun,  
43 including ammunition specifically designed to be used only in a  
44 handgun, as well as ammunition intended for use in any other  
45 firearm and which may be interchangeable between rifles and  
46 handguns. "Handgun ammunition" shall not include **[blank]**  
47 ammunition, air gun pellets, flare gun ammunition, nail gun

1 ammunition, paint ball ammunition, or any non-fixed] ammunition  
2 specifically designed to be used only in a rifle or shotgun.

3 b. **[No]** A person shall not sell, give, transfer, assign or  
4 otherwise dispose of, or receive, purchase, or otherwise acquire  
5 handgun ammunition unless the purchaser, assignee, donee, receiver  
6 or holder is licensed as a manufacturer, wholesaler, or dealer under  
7 this chapter or is the holder of and possesses a valid firearms  
8 purchaser identification card, a valid copy of a permit to purchase a  
9 handgun, or a valid permit to carry a handgun and first exhibits  
10 **[such]** the card or permit to the seller, donor, transferor, or assignor  
11 along with a valid, current driver's license; valid, current nondriver  
12 identification card; or other valid, current government-issued form  
13 of photo identification.

14 c. No person shall sell, give, transfer, assign, or otherwise  
15 dispose of handgun ammunition to a person who is under 21 years  
16 of age.

17 d. The provisions of this section shall not apply to a collector  
18 of firearms or ammunition as curios or relics who purchases,  
19 receives, acquires, possesses, or transfers handgun ammunition  
20 which is recognized as being historical in nature or of historical  
21 significance.

22 e. A person who violates this section shall be guilty of a crime  
23 of the fourth degree, except that nothing contained herein shall be  
24 construed to prohibit the sale, transfer, assignment or disposition of  
25 handgun ammunition to or the purchase, receipt or acceptance of  
26 ammunition by a law enforcement agency or law enforcement  
27 official for law enforcement purposes.

28 f. Nothing in this section shall be construed to prohibit the  
29 transfer of ammunition for use in a lawfully transferred firearm in  
30 accordance with the provisions of section 1 of P.L.1992,  
31 c.74 (C.2C:58-3.1), section 1 of P.L.1997, c.375 (C.2C:58-3.2) or  
32 section 14 of P.L.1979, c.179 (C.2C:58-6.1).

33 g. Nothing in this section shall be construed to prohibit the sale  
34 of a de minimis amount of handgun ammunition at a firearms range  
35 operated by a licensed dealer; a law enforcement agency; a legally  
36 recognized military organization; or a rifle or pistol club which has  
37 filed a copy of its charter with the superintendent for immediate use  
38 at that range.

39 (cf: P.L.2007, c.318, s.1)

40

41 5. (New section) a. (1) The Superintendent of State Police  
42 shall develop a program for retail dealers of handgun ammunition to  
43 electronically report a record of any transaction involving the sale,  
44 transfer, assignment, or disposition of handgun ammunition and  
45 information relating to each transaction. The reported information  
46 shall include: the date of the transaction; the name of the  
47 manufacturer, the caliber or gauge, and the quantity of ammunition  
48 sold or transferred; the name, address, and date of birth of the

1 purchaser; the identification used to establish the identity of the  
2 purchaser; and any other information the superintendent may  
3 require.

4 (2) Subject to the time limitations established in paragraph (2)  
5 of subsection c. of section 2 of P.L. , c. (C. ) (pending  
6 before the Legislature as this bill), every retail dealer of  
7 ammunition as defined in section 1 of P.L.2007, c.318 (C.2C:58-  
8 3.3) shall electronically report to the superintendent a record of any  
9 transaction involving the sale, transfer, assignment, or disposition  
10 of handgun ammunition by utilizing the program developed  
11 pursuant to this subsection.

12 A retail dealer may charge a fee determined by the  
13 superintendent for a transaction electronically reported pursuant to  
14 this subsection.

15 b. (1) The superintendent shall develop a program for retail  
16 dealers to electronically report a record of any transaction involving  
17 the sale, transfer, assignment, or disposition of a firearm and  
18 information relating to each transaction.

19 (2) Within a timeframe as determined by the superintendent,  
20 every retail dealer of firearms shall electronically report to the  
21 superintendent a record of any transaction involving the sale,  
22 transfer, assignment, or disposition of a firearm by utilizing the  
23 program developed pursuant to this subsection.

24 c. The superintendent shall establish a searchable, electronic  
25 database containing the information reported pursuant subsections  
26 a. and b. of this section, which shall be available to law  
27 enforcement officers. The superintendent also shall establish  
28 security procedures to protect the confidentiality of the information  
29 contained in the database, which shall prevent access to the  
30 information by any person or entity that is not lawfully entitled to  
31 it.

32 d. The superintendent shall develop an Internet-based or other  
33 electronic system to process or facilitate the processing of any or all  
34 of the following: application for and issuance of firearms purchaser  
35 identification cards, permits to purchase a handgun, or other permits  
36 authorized under this chapter.

37 e. Any record reported or produced pursuant to this section  
38 shall not be considered a public record or government record  
39 pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.) or P.L.2001,  
40 c.404 (C.47:1A-5 et al.).

41

42 6. This act shall take effect immediately.

43

44

45

STATEMENT

46

47 This bill regulates the sale of handgun ammunition. Under  
48 current law, handgun ammunition is regulated to the extent that a



1 purchaser is to establish his or her eligibility by exhibiting a  
2 firearms purchaser identification card, a permit to purchase a  
3 handgun, or a permit to carry a handgun, and that he or she is 21  
4 years of age or older. This bill requires an ammunition purchaser to  
5 also exhibit a driver's license, nondriver identification card, or other  
6 government-issued form of photo identification at the time of  
7 purchase.

8 The bill requires a manufacturer or dealer of handgun  
9 ammunition to keep a detailed, electronic record of handgun  
10 ammunition sales. The electronic record maintained by the  
11 manufacturer or wholesale dealer is required to contain the date of  
12 the transaction; the type, caliber, or gauge of the ammunition; the  
13 quantity of ammunition sold; the name and address of the  
14 purchaser; and any other information deemed necessary by the  
15 Superintendent of State Police. The electronic record maintained  
16 by the retail dealer is required to contain the name of the  
17 manufacturer, the date of the transaction, the type, caliber, or gauge  
18 of the ammunition; the quantity of the ammunition sold; the name,  
19 address, and date of birth of the purchaser; the identification used to  
20 establish the identity of the purchaser; and any other information  
21 deemed necessary by the superintendent. A manufacturer or dealer  
22 that is unable to maintain record in an electronic form is to be given  
23 12 months from the effective date of this bill to establish a system  
24 for maintaining electronic records of the transfer of handgun  
25 ammunition. The electronic records are required to be made  
26 available for inspection at all reasonable hours by any law  
27 enforcement officer.

28 In addition, the bill requires electronic reporting of handgun,  
29 firearm, and handgun ammunition sales. Under the bill, every retail  
30 dealer is required to electronically report firearm, handgun, and  
31 handgun ammunition sales and transfers to the superintendent. The  
32 superintendent would be required to develop a program for retail  
33 dealers to electronically report this information. Regarding  
34 handgun ammunition, the reported information is to include the date  
35 of the transaction; the name of the manufacturer, the caliber or  
36 gauge, and the quantity of ammunition sold or transferred; the  
37 name, address, and date of birth of the purchaser; the identification  
38 used to establish the identity of the purchaser; and any other  
39 information that the superintendent requires. A retail dealer of  
40 handgun ammunition may charge a fee not to exceed \$5 for a  
41 transaction that is required to be electronically reported.