

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:

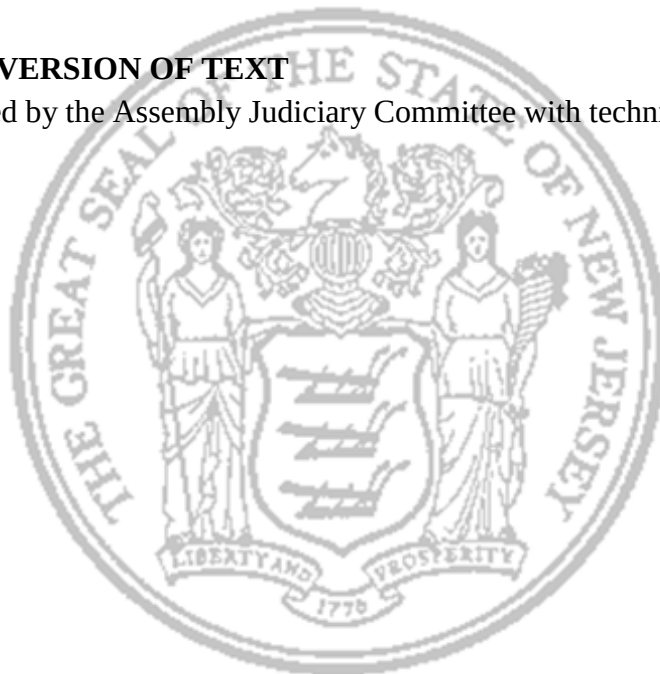
**Assemblywoman Jasey, Assemblymen McKeon, Zwicker, Tully,
Assemblywomen Chaparro, Swain, Carter, Vainieri Huttie, McKnight and
Jimenez**

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Assembly Judiciary Committee with technical review.



(Sponsorship Updated As Of: 12/20/2021)

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. No
35 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) The handgun is accompanied by a trigger lock or a locked
48 case, gun box, container or other secure facility; provided, however,

1 this provision shall not apply to antique handguns or personalized
2 handguns included in the roster pursuant to section 2 of P.L.2019,
3 c.164 (C.2C:58-2.8). The exemptions afforded under this
4 subparagraph for antique handguns and personalized handguns shall
5 be narrowly construed, limited solely to the requirements set forth
6 herein and shall not be deemed to afford or authorize any other
7 exemption from the regulatory provisions governing firearms set
8 forth in chapter 39 and chapter 58 of Title 2C of the New Jersey
9 Statutes; and

10 (e) (Deleted by amendment, P.L.2019, c.164)

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

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

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

22 (b) a collector of handguns as curios or relics as defined in Title
23 18, United States Code, section 921 (a) (13) who has in his
24 possession a valid Collector of Curios and Relics License issued by
25 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

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

28 (d) any transaction where the person has purchased a handgun
29 from a licensed retail dealer and has returned that handgun to the
30 dealer in exchange for another handgun within 30 days of the
31 original transaction, provided the retail dealer reports the exchange
32 transaction to the superintendent; or

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

36 b. Records. (1) Every person engaged in the retail business of
37 selling, leasing or otherwise transferring a handgun, as a retail
38 dealer or otherwise, shall keep a register in which shall be entered
39 the time of the sale, lease or other transfer, the date thereof, the
40 name, age, date of birth, occupation, residence and a physical
41 description including distinguishing physical characteristics, if any,
42 of the purchaser, lessee or transferee, the name and permanent home
43 address of the person making the sale, lease or transfer, the place of
44 the transaction, and the make, model, manufacturer's number,
45 caliber and other marks of identification on such handgun and such
46 other information as the superintendent shall deem necessary for the
47 proper enforcement of this chapter. The register shall be retained by

1 the dealer and shall be made available at all reasonable hours for
2 inspection by any law enforcement officer.

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

17 c. Forms of register.

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

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

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

42 e. Copies of register entries; delivery to chief of police or
43 county clerk.

44 **【Within】** (1) Except as otherwise provided in paragraph (2) of
45 this subsection, within five days of the date of the sale, assignment
46 or transfer, the dealer shall deliver or mail by certified mail, return
47 receipt requested, legible copies of the register forms to the office
48 of the chief of police of the municipality in which the purchaser

1 resides, or to the office of the captain of the precinct of the
2 municipality in which the purchaser resides, and to the
3 superintendent. If hand delivered a receipt shall be given to the
4 dealer therefor.

5 Where a sale, assignment or transfer is made to a purchaser who
6 resides in a municipality having no chief of police, the dealer shall,
7 within five days of the transaction, mail a duplicate copy of the
8 register sheet to the clerk of the county within which the purchaser
9 resides.

10 (2) A dealer shall not be required to use the triplicate form after
11 the dealer establishes an electronic reporting system pursuant to
12 paragraph (2) of subsection b. of this section or section 4 of P.L. ,
13 c. (C.) (pending before the Legislature as this bill).
14 (cf: P.L.2019, c.164, s.7)

15

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

17 2C:58-3. a. Permit to purchase a handgun.

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

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

27 The provisions of this paragraph shall not apply if the transaction
28 is:

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

31 (b) between law enforcement officers;

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

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

39 (3) Prior to a transaction conducted pursuant to this subsection,
40 the retail dealer shall complete a National Instant Criminal
41 Background Check of the person acquiring the handgun. In
42 addition:

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

46 (b) every retail dealer shall maintain a record of transactions
47 conducted pursuant to this subsection, which shall be maintained at
48 the address displayed on the retail dealer's license for inspection by

1 a law enforcement officer during reasonable hours;

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

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

7 b. Firearms purchaser identification card.

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

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

29 The provisions of this paragraph shall not apply if the transaction
30 is:

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

33 (b) between law enforcement officers;

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

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

41 (3) Prior to a transaction conducted pursuant to this subsection,
42 the retail dealer shall complete a National Instant Criminal
43 Background Check of the person acquiring an antique cannon or a
44 rifle or shotgun. In addition:

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

1 (b) every retail dealer shall maintain a record of transactions
2 conducted pursuant to this section which shall be maintained at the
3 address set forth on the retail dealer's license for inspection by a law
4 enforcement officer during reasonable hours;

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

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

10 c. Who may obtain. No person of good character and good
11 repute in the community in which he lives, and who is not subject to
12 any of the disabilities set forth in this section or other sections of
13 this chapter, shall be denied a permit to purchase a handgun or a
14 firearms purchaser identification card, except as hereinafter set
15 forth. No handgun purchase permit or firearms purchaser
16 identification card shall be issued:

17 (1) To any person who has been convicted of any crime, or a
18 disorderly persons offense involving an act of domestic violence as
19 defined in section 3 of P.L.1991, c.261 (C.2C:25-19), whether or
20 not armed with or possessing a weapon at the time of the offense;

21 (2) To any drug dependent person as defined in section 2 of
22 P.L.1970, c.226 (C.24:21-2), to any person who is confined for a
23 mental disorder to a hospital, mental institution or sanitarium, or to
24 any person who is presently an habitual drunkard;

25 (3) To any person who suffers from a physical defect or disease
26 which would make it unsafe for him to handle firearms, to any
27 person who has ever been confined for a mental disorder, or to any
28 alcoholic unless any of the foregoing persons produces a certificate
29 of a medical doctor or psychiatrist licensed in New Jersey, or other
30 satisfactory proof, that he is no longer suffering from that particular
31 disability in a manner that would interfere with or handicap him in
32 the handling of firearms; to any person who knowingly falsifies any
33 information on the application form for a handgun purchase permit
34 or firearms purchaser identification card;

35 (4) To any person under the age of 18 years for a firearms
36 purchaser identification card and to any person under the age of 21
37 years for a permit to purchase a handgun;

38 (5) To any person where the issuance would not be in the
39 interest of the public health, safety or welfare;

40 (6) To any person who is subject to a restraining order issued
41 pursuant to the "Prevention of Domestic Violence Act of 1991,"
42 P.L.1991, c.261 (C.2C:25-17 et seq.) prohibiting the person from
43 possessing any firearm;

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

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

5 (9) To any person named on the consolidated Terrorist Watchlist
6 maintained by the Terrorist Screening Center administered by the
7 Federal Bureau of Investigation; or

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

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

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

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

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

23 Application blanks shall be obtainable from the superintendent,
24 from any other officer authorized to grant a permit or identification
25 card, and from licensed retail dealers, or shall be made available
26 through an online process established or made available by the
27 superintendent.

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

42 f. Granting of permit or identification card; fee; term; renewal;
43 revocation. The application for the permit to purchase a handgun
44 together with a fee of \$2, or the application for the firearms
45 purchaser identification card together with a fee of \$5, shall be
46 delivered or forwarded to the licensing authority who shall
47 investigate the same and, unless good cause for the denial thereof
48 appears, shall grant the permit or the identification card, or both, if

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

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

24 g. Disposition of fees. All fees for permits shall be paid to the
25 State Treasury if the permit is issued by the superintendent, to the
26 municipality if issued by the chief of police, and to the county
27 treasurer if issued by the judge of the Superior Court.

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

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

42 (2) The requirements of this subsection concerning the delivery
43 and form of permit and disposition of copies shall not be applicable
44 when these functions may be completed by utilizing an electronic
45 system as described in paragraph (2) of subsection b. of
46 N.J.S.2C:58-2 or section 4 of P.L. , c. (C.) (pending before
47 the Legislature as this bill).

- 1 i. Restriction on number of firearms person may purchase.
2 Only one handgun shall be purchased or delivered on each permit
3 and no more than one handgun shall be purchased within any 30-
4 day period, but this limitation shall not apply to:
- 5 (1) a federal, State, or local law enforcement officer or agency
6 purchasing handguns for use by officers in the actual performance
7 of their law enforcement duties;
8 (2) a collector of handguns as curios or relics as defined in Title
9 18, United States Code, section 921 (a) (13) who has in his
10 possession a valid Collector of Curios and Relics License issued by
11 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;
12 (3) transfers of handguns among licensed retail dealers,
13 registered wholesale dealers and registered manufacturers;
14 (4) transfers of handguns from any person to a licensed retail
15 dealer or a registered wholesale dealer or registered manufacturer;
16 (5) any transaction where the person has purchased a handgun
17 from a licensed retail dealer and has returned that handgun to the
18 dealer in exchange for another handgun within 30 days of the
19 original transaction, provided the retail dealer reports the exchange
20 transaction to the superintendent; or
21 (6) any transaction where the superintendent issues an
22 exemption from the prohibition in this subsection pursuant to the
23 provisions of section 4 of P.L.2009, c.186 (C.2C:58-3.4).
- 24 The provisions of this subsection shall not be construed to afford
25 or authorize any other exemption from the regulatory provisions
26 governing firearms set forth in chapter 39 and chapter 58 of Title
27 2C of the New Jersey Statutes;
- 28 A person shall not be restricted as to the number of rifles or
29 shotguns he may purchase, provided he possesses a valid firearms
30 purchaser identification card and provided further that he signs the
31 certification required in subsection b. of this section for each
32 transaction.
- 33 j. Firearms passing to heirs or legatees. Notwithstanding any
34 other provision of this section concerning the transfer, receipt or
35 acquisition of a firearm, a permit to purchase or a firearms
36 purchaser identification card shall not be required for the passing of
37 a firearm upon the death of an owner thereof to his heir or legatee,
38 whether the same be by testamentary bequest or by the laws of
39 intestacy. The person who shall so receive, or acquire the firearm
40 shall, however, be subject to all other provisions of this chapter. If
41 the heir or legatee of the firearm does not qualify to possess or carry
42 it, he may retain ownership of the firearm for the purpose of sale for
43 a period not exceeding 180 days, or for a further limited period as
44 may be approved by the chief law enforcement officer of the
45 municipality in which the heir or legatee resides or the
46 superintendent, provided that the firearm is in the custody of the
47 chief law enforcement officer of the municipality or the
48 superintendent during that period.

1 k. Sawed-off shotguns. Nothing in this section shall be
2 construed to authorize the purchase or possession of any sawed-off
3 shotgun.

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

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

18 n. For the purposes of this section, "immediate family" means a
19 spouse, domestic partner as defined in section 3 of P.L.2003,
20 c.246 (C.26:8A-3), partner in a civil union couple as defined in
21 section 2 of P.L.2006, c.103 (C.37:1-29), parent, stepparent,
22 grandparent, sibling, stepsibling, child, stepchild, and grandchild, as
23 related by blood or by law.
24 (cf: P.L.2018, c.36, s.1)
25

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

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

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

37 "Handgun ammunition" means ammunition **["specifically"]**
38 designed **["to"]** such that it may be used **["only"]** in a handgun,
39 including ammunition specifically designed to be used only in a
40 handgun, as well as ammunition intended for use in any other
41 firearm and which may be interchangeable between rifles and
42 handguns. "Handgun ammunition" shall not include **["blank**
43 ammunition, air gun pellets, flare gun ammunition, nail gun
44 ammunition, paint ball ammunition, or any non-fixed¹"] ammunition
45 specifically designed to be used only in a rifle or shotgun.

46 b. **["No"]** A person shall not sell, give, transfer, assign or
47 otherwise dispose of, or receive, purchase, or otherwise acquire

1 handgun ammunition unless the purchaser, assignee, donee, receiver
2 or holder is licensed as a manufacturer, wholesaler, or dealer under
3 this chapter or is the holder of and possesses a valid firearms
4 purchaser identification card, a valid copy of a permit to purchase a
5 handgun, or a valid permit to carry a handgun and first exhibits
6 **【such】** the card or permit to the seller, donor, transferor, or assignor
7 along with a valid, current driver's license; valid, current nondriver
8 identification card; or other valid, current government-issued form
9 of photo identification.

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

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

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

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

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

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

36

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

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

9 A retail dealer may charge a fee determined by the
10 superintendent for a transaction electronically reported pursuant to
11 this subsection.

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

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

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

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

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

38
39 6. This act shall take effect immediately.