ASSEMBLY, No. 1411

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
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SYNOPSIS

Prohibits leaving loaded firearm within easy access of minor under age of 18; requires law enforcement officers who observe unsecured firearms to conduct follow-up.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning a minor's access to firearms and amending P.L.1991, c.397.

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

1. Section 1 of P.L.1991, c.397 (C.2C:58-15) is amended to read as follows:

1. a. A person who knows or reasonably should know that a minor is likely to gain access to a loaded firearm at a premises under the person's control commits a disorderly persons offense if a minor gains access to the firearm, unless the person:

(1) Stores the firearm in a securely locked box or container;

(2) Stores the firearm in a location which a reasonable person would believe to be secure; or

(3) Secures the firearm with a trigger lock.

b. This section shall not apply:

(1) To activities authorized by section 14 of P.L.1979, c.179 **[**,**]** (C.2C:58-6.1) **[**,**]** concerning the lawful use of a firearm by a minor; or

(2) Under circumstances where a minor obtained a firearm as a result of an unlawful entry by any person.

c. As used in this act, "minor" means a person under the age of **[**16**]** 18.

d. A law enforcement officer who observes that a person has not complied with the provisions of this section shall return at a later date to the premises under the person's control to ensure that the person has stored or secured the firearm pursuant to subsection a. of this section.

(cf: P.L.1991, c.397, s.1)

2. This act shall take effect immediately.

STATEMENT

Under section 1 of P.L.1991, c.397 (C.2C:58-15), a firearm owner is prohibited from leaving a loaded firearm within easy access of a minor under the age of 16. This bill increases the age of a minor to under the age of 18.

The bill also requires a law enforcement officer who observes that a firearm owner has not properly stored or secured his or her firearm to return to the firearm owner's premises to ensure that the firearms are properly secured.

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.

Under section 1 of P.L.1991, c.397 (C.2C:58-15), unless a firearm owner takes certain precautions, the owner is guilty of a disorderly persons offense if he or she knows, or reasonably should know, that a minor is likely to gain access to a loaded firearm at a premises under the owner's control and the minor gains access to the firearm. The precautions required under the law include storing the firearm in a securely locked box, secure location, or with a trigger lock. A disorderly person's offense is punishable by up to six months imprisonment, a fine of up to $1,000, or both.