

ASSEMBLY, No. 2956

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Establishes crime of possessing firearm during public demonstration for purpose of causing civil disorder.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/5/2020)

1 AN ACT concerning possession of firearms and amending P.L.1983,
2 c.229.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 1 of P.L.1983, c.229 (C.2C:39-14) is amended to
8 read as follows:

9 a. Any person who teaches or demonstrates to any other person
10 the use, application, or making of any firearm, explosive or
11 destructive device, or technique capable of causing injury or death
12 to a person, knowing or having reason to know or intending that it
13 will be employed for use in, or in furtherance of, an illegal activity
14 is guilty of a crime of the second degree.

15 b. Any person who assembles with one or more persons for the
16 purpose of training with, practicing with, or being instructed in the
17 use of any firearm, explosive or destructive device, or technique
18 capable of causing injury or death to a person, intending to
19 unlawfully employ it for use in, or in furtherance of, an illegal
20 activity is guilty of a crime of the second degree.

21 c. Any person who knowingly possesses a firearm during a
22 public demonstration for the purpose of causing civil disorder is
23 guilty of a crime of the third degree, irrespective of whether the
24 person possesses a valid permit to carry the firearm or a valid
25 firearms purchaser identification card.

26 d. As used in this section:

27 “Civil disorder” means a public disturbance involving acts of
28 violence by assemblages of two or more persons which creates a
29 risk of imminent danger to the public health, safety, or welfare or
30 causes bodily injury, serious bodily injury, or death.

31 “Public demonstration” means a procession, gathering, or an
32 assemblage of persons in a public place, where the gathering is in
33 pursuit of a common purpose of demonstrating support for, or
34 opposition to, a person, matter, or thing.

35 (cf: P.L.1988, c.76, s.1)

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37 2. This act shall take effect immediately.

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40 STATEMENT

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42 This bill establishes a third degree crime of knowingly
43 possessing a firearm during a public demonstration for the purpose
44 of causing civil disorder. Under the bill, a person may be found
45 guilty of the crime irrespective of whether the person possesses a

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 valid permit to carry a firearm or a valid firearms purchaser
2 identification card.

3 The bill defines “civil disorder” as a public disturbance
4 involving acts of violence by assemblages of two or more persons
5 which creates a risk of imminent danger to the public health, safety,
6 or welfare or causes bodily injury, serious bodily injury, or death.
7 “Public demonstration” is defined by the bill as a procession,
8 gathering, or assembly of persons in a public place, where the
9 gathering is in pursuit of a common purpose of demonstrating
10 support for, or opposition to, a person, matter, or thing.

11 A third degree crime is punishable by three to five years
12 imprisonment, a fine of up to \$15,000, or both.