

ASSEMBLY, No. 5030

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED NOVEMBER 19, 2020

Sponsored by:

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Co-Sponsored by:

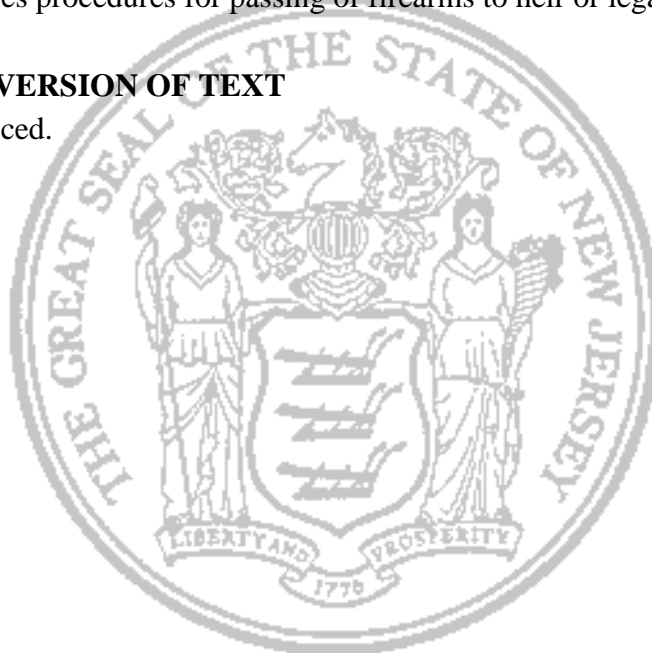
**Assemblywomen Vainieri Huttie, Jasey, Swain, Assemblyman Tully,
Assemblywoman Chaparro, Assemblyman McKeon and Assemblywoman
Carter**

SYNOPSIS

Provides that firearms purchaser identification card is valid for four years; requires training prior to issuance of firearms cards and handgun purchase permits; revises procedures for passing of firearms to heir or legatee.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/6/2021)

A5030 REYNOLDS-JACKSON, JOHNSON

2

1 AN ACT concerning firearms and amending N.J.S.2C:58-3.

2

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

5

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

7 2C:58-3. a. Permit to purchase a handgun.

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

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

17 The provisions of this paragraph shall not apply if the transaction
18 is:

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

21 (b) between law enforcement officers;

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

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

29 (3) Prior to a transaction conducted pursuant to this subsection,
30 the retail dealer shall complete a National Instant Criminal
31 Background Check of the person acquiring the handgun. In
32 addition:

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

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

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

42 (d) any record produced pursuant to this subsection shall not be
43 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-
44 1 et seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

45 b. Firearms purchaser identification card.

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

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

22 The provisions of this paragraph shall not apply if the transaction
23 is:

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

26 (b) between law enforcement officers;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (9) To any person named on the consolidated Terrorist Watchlist
2 maintained by the Terrorist Screening Center administered by the
3 Federal Bureau of Investigation; or

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

8 In order to obtain an initial permit to purchase a handgun or a
9 firearms purchaser identification card, the applicant shall
10 demonstrate that, within four years prior to the date of the initial
11 application, the applicant satisfactorily completed a course of
12 instruction approved by the superintendent in the lawful and safe
13 handling and storage of firearms. An applicant who is a law
14 enforcement officer who has satisfied the requirements of
15 subsection j. of N.J.S.2C:39-6, a retired law enforcement officer
16 who has satisfied the requirements of subsection 1. of N.J.S.2C:39-
17 6, or a veteran who was honorably discharged as a member of the
18 United States Armed Forces or National Guard who received
19 substantially equivalent training shall not be required to complete
20 the course of instruction required pursuant to the provisions of this
21 subsection. A person who obtained a permit to purchase a handgun
22 or a firearms purchaser identification card prior to the effective date
23 of P.L. , c. (pending before the Legislature as this bill) shall not
24 be required to completed a course of instruction pursuant to this
25 subsection.

26 d. Issuance. The chief of police of an organized full-time
27 police department of the municipality where the applicant resides or
28 the superintendent, in all other cases, shall upon application, issue
29 to any person qualified under the provisions of subsection c. of this
30 section a permit to purchase a handgun or a firearms purchaser
31 identification card.

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

47 e. Applications. Applications for permits to purchase a
48 handgun and for firearms purchaser identification cards shall be in

1 the form prescribed by the superintendent and shall set forth the
2 name, residence, place of business, age, date of birth, occupation,
3 sex and physical description, including distinguishing physical
4 characteristics, if any, of the applicant, and shall state whether the
5 applicant is a citizen, whether he is an alcoholic, habitual drunkard,
6 drug dependent person as defined in section 2 of P.L.1970,
7 c.226 (C.24:21-2), whether he has ever been confined or committed
8 to a mental institution or hospital for treatment or observation of a
9 mental or psychiatric condition on a temporary, interim or
10 permanent basis, giving the name and location of the institution or
11 hospital and the dates of confinement or commitment, whether he
12 has been attended, treated or observed by any doctor or psychiatrist
13 or at any hospital or mental institution on an inpatient or outpatient
14 basis for any mental or psychiatric condition, giving the name and
15 location of the doctor, psychiatrist, hospital or institution and the
16 dates of the occurrence, whether he presently or ever has been a
17 member of any organization which advocates or approves the
18 commission of acts of force and violence to overthrow the
19 Government of the United States or of this State, or which seeks to
20 deny others their rights under the Constitution of either the United
21 States or the State of New Jersey, whether he has ever been
22 convicted of a crime or disorderly persons offense, whether the
23 person is subject to a restraining order issued pursuant to the
24 "Prevention of Domestic Violence Act of 1991," P.L.1991,
25 c.261 (C.2C:25-17 et seq.) prohibiting the person from possessing
26 any firearm, whether the person is subject to a protective order
27 issued pursuant to the "Extreme Risk Protective Order Act of
28 2018," P.L.2018, c.35 (C.2C:58-20 et al.) prohibiting the person
29 from possessing any firearm, and other information as the
30 superintendent shall deem necessary for the proper enforcement of
31 this chapter. For the purpose of complying with this subsection, the
32 applicant shall waive any statutory or other right of confidentiality
33 relating to institutional confinement. The application shall be
34 signed by the applicant and shall contain as references the names
35 and addresses of two reputable citizens personally acquainted with
36 him.

37 Application blanks shall be obtainable from the superintendent,
38 from any other officer authorized to grant a permit or identification
39 card, and from licensed retail dealers.

40 The chief police officer or the superintendent shall obtain the
41 fingerprints of the applicant and shall have them compared with any
42 and all records of fingerprints in the municipality and county in
43 which the applicant resides and also the records of the State Bureau
44 of Identification and the Federal Bureau of Investigation, provided
45 that an applicant for a handgun purchase permit who possesses a
46 valid firearms purchaser identification card, or who has previously
47 obtained a handgun purchase permit from the same licensing
48 authority for which he was previously fingerprinted, and who

1 provides other reasonably satisfactory proof of his identity, need not
2 be fingerprinted again; however, the chief police officer or the
3 superintendent shall proceed to investigate the application to
4 determine whether or not the applicant has become subject to any of
5 the disabilities set forth in this chapter.

6 f. Granting of permit or identification card; fee; term; renewal;
7 revocation. The application for the permit to purchase a handgun
8 together with a fee of \$2, or the application for the firearms
9 purchaser identification card together with a fee of \$5, shall be
10 delivered or forwarded to the licensing authority who shall
11 investigate the same and, unless good cause for the denial thereof
12 appears, shall grant the permit or the identification card, or both, if
13 application has been made therefor, within 30 days from the date of
14 receipt of the application for residents of this State and within 45
15 days for nonresident applicants. A permit to purchase a handgun
16 shall be valid for a period of 90 days from the date of issuance and
17 may be renewed by the issuing authority for good cause for an
18 additional 90 days. A firearms purchaser identification card issued
19 after the effective date of P.L. _____, c. _____ (pending before the
20 Legislature as this bill) shall be valid **[until such]** for a period of
21 four years from the date of issuance, unless during that time [as]
22 the holder becomes subject to any of the disabilities set forth in
23 subsection c. of this section, whereupon the card shall be void and
24 shall be returned within five days by the holder to the
25 superintendent, who shall then advise the licensing authority.
26 Failure of the holder to return the firearms purchaser identification
27 card to the superintendent within the five days shall be an offense
28 under subsection a. of N.J.S.2C:39-10. Any firearms purchaser
29 identification card may be revoked by the Superior Court of the
30 county wherein the card was issued, after hearing upon notice, upon
31 a finding that the holder thereof no longer qualifies for the issuance
32 of the permit. The county prosecutor of any county, the chief police
33 officer of any municipality or any citizen may apply to the court at
34 any time for the revocation of the card. A firearms purchaser
35 identification card issued after the effective date of P.L. _____, c.
36 (pending before the Legislature as this bill) may be renewed upon
37 filing of a renewal application and payment of the required fee,
38 provided that the holder is not subject to any of the disabilities set
39 forth in subsection c. of this section and complies with all other
40 applicable requirements as set forth in statute and regulation. A
41 person who obtained a firearms purchaser identification card issued
42 prior to the effective date of P.L. _____, c. _____ (pending before the
43 Legislature as this bill) shall renew the card by the first day of the
44 forty ninth month following the effective date of P.L. _____, c.
45 (pending before the Legislature as this bill).

46 There shall be no conditions or requirements added to the form
47 or content of the application, or required by the licensing authority

1 for the issuance or renewal of a permit or identification card, other
2 than those that are specifically set forth in this chapter.

3 g. Disposition of fees. All fees for permits shall be paid to the
4 State Treasury if the permit is issued by the superintendent, to the
5 municipality if issued by the chief of police, and to the county
6 treasurer if issued by the judge of the Superior Court.

7 h. Form of permit; quadruplicate; disposition of copies. The
8 permit shall be in the form prescribed by the superintendent and
9 shall be issued to the applicant in quadruplicate. Prior to the time
10 he receives the handgun from the seller, the applicant shall deliver
11 to the seller the permit in quadruplicate and the seller shall
12 complete all of the information required on the form. Within five
13 days of the date of the sale, the seller shall forward the original
14 copy to the superintendent and the second copy to the chief of
15 police of the municipality in which the purchaser resides, except
16 that in a municipality having no chief of police, the copy shall be
17 forwarded to the superintendent. The third copy shall then be
18 returned to the purchaser with the pistol or revolver and the fourth
19 copy shall be kept by the seller as a permanent record.

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

24 (1) 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 (2) 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 (3) transfers of handguns among licensed retail dealers,
32 registered wholesale dealers and registered manufacturers;

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

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

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

43 The provisions of this subsection shall not be construed to afford
44 or authorize any other exemption from the regulatory provisions
45 governing firearms set forth in chapter 39 and chapter 58 of Title
46 2C of the New Jersey Statutes;

47 A person shall not be restricted as to the number of rifles or
48 shotguns he may purchase, provided he possesses a valid firearms

1 purchaser identification card and provided further that he signs the
2 certification required in subsection b. of this section for each
3 transaction.

4 j. Firearms passing to heirs or legatees. **【**Notwithstanding any
5 other provision of this section concerning the transfer, receipt or
6 acquisition of a firearm, **a】** Except as otherwise provided in this
7 subsection, a permit to purchase or a firearms purchaser
8 identification card shall **【not】** be required for the passing of a
9 firearm upon the death of an owner thereof to his heir or legatee,
10 whether the same be by testamentary bequest or by the laws of
11 intestacy~~【. The】~~, and the person who shall so receive, or acquire
12 the firearm shall **【, however,】** be subject to all other provisions of
13 this chapter. **【**If the heir or legatee of the firearm does not qualify to
14 possess or carry it, he may retain ownership of the firearm for the
15 purpose of sale for a period not exceeding 180 days, or for a further
16 limited period as may be approved by the chief law enforcement
17 officer of the municipality in which the heir or legatee resides or the
18 superintendent, provided that the firearm is in the custody of the
19 chief law enforcement officer of the municipality or the
20 superintendent during that period.】

21 (1) Upon the death of the owner of a firearm, the administrator
22 or executor of the estate who does not possess a valid firearms
23 purchaser identification card or permit to purchase a handgun shall
24 surrender custody of the firearm within 30 days to the chief law
25 enforcement officer of the municipality in which the decedent
26 resided or, if the municipality does not have a police department or
27 force, the superintendent. The chief law enforcement officer or
28 superintendent, as appropriate, shall retain custody of the firearm
29 until the heir or legatee obtains a valid permit to purchase a
30 handgun or firearms purchaser identification card. If the heir or
31 legatee does not obtain a permit to purchase a handgun or firearms
32 purchaser identification card, the heir or legatee shall sell the
33 firearm to a licensed retail dealer or arrange for the sale of the
34 firearm by the licensed retail dealer. The licensed retail dealer shall
35 provide the heir or legatee with a receipt and shall record the date of
36 surrender, the name of the heir or legatee, and the serial number,
37 manufacturer, and model of the surrendered firearm.

38 (2) An heir or legatee who possesses a valid permit to purchase
39 a handgun or firearms purchaser identification card may take
40 possession of the firearm directly from the administrator or
41 executor of the estate or from the chief law enforcement officer or
42 superintendent, as appropriate, if the heir or legatee files a signed
43 certification in a form prescribed by the superintendent. The
44 certification shall set forth the name, address, and firearms
45 purchaser identification card or permit to purchase a handgun
46 number of the heir or legatee and certify that the heir or legatee
47 currently complies with the requirements in subsection c. of this

1 section. The certification shall be filed with the chief law
2 enforcement officer of the municipality in which the decedent
3 resided or, if there is no chief law enforcement officer, the
4 superintendent.

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, c.246
24 (C.26:8A-3), partner in a civil union couple as defined in section 2
25 of P.L.2006, c.103 (C.37:1-29), parent, stepparent, grandparent,
26 sibling, stepsibling, child, stepchild, and grandchild, as related by
27 blood or by law.

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

29

30 2. This act shall take effect immediately.

31

32

33

STATEMENT

34

35 This bill imposes additional safeguards on the issuance of firearms
36 purchaser identification cards, imposes training requirements, and
37 revises the procedures for an heir or legatee to inherit or receive
38 possession of a firearm.

39 The bill provides that a firearms purchaser identification card
40 issued after the bill's effective date would be valid for a period of four
41 years from the date of issuance. Under current law, a firearms
42 purchaser identification card is valid indefinitely, unless the holder
43 becomes subject to any of the disabilities that disqualify a person for
44 firearms ownership. The bill further provides that a firearms purchaser
45 identification card may be renewed if the holder is not subject to any
46 of the statutory disabilities and after filing of a renewal application and
47 payment of the required fee. The holder of a firearms purchaser

1 identification card issued prior to the bill's effective date would be
2 required to renew the card within four years of the bill's enactment.

3 In addition, this bill requires certain applicants for a permit to
4 purchase a handgun or a firearms purchaser identification card to
5 demonstrate that, within four years prior to the date of the application,
6 he or she satisfactorily completed a course of instruction approved by
7 the Superintendent of State Police in the lawful and safe handling and
8 storage of firearms. This provision is not applicable to an active or
9 retired law enforcement officer or a veteran who was honorably
10 discharged as a member of the United States Armed Forces or
11 National Guard and who received substantially equivalent training. A
12 person who obtained a permit to purchase a handgun or firearms
13 purchaser identification card prior to the bill's effective date would not
14 be required to complete a course of instruction.

15 Under current law, a permit to purchase a handgun or a firearms
16 purchaser identification card is not required for the passing of a
17 firearm to an heir or legatee upon the death of the owner, whether the
18 firearm is passed by testamentary bequest or by the laws of intestacy.
19 This bill requires the heir or legatee to possess a permit to purchase a
20 handgun or a firearms purchaser identification card prior to taking
21 possession of the firearm. An administrator or executor of the estate
22 who does not possess a valid firearms purchaser identification card or
23 permit to purchase a handgun is to surrender custody of the firearm
24 within 30 days to the chief law enforcement officer of the municipality
25 in which the decedent resided or, if municipality does not have a
26 police department or force, the superintendent. The chief law
27 enforcement officer or superintendent, as appropriate, would retain
28 custody of the firearm until the heir or legatee obtains a valid permit to
29 purchase a handgun or firearms purchaser identification card. If the
30 heir or legatee does not obtain a permit to purchase a handgun or
31 firearms purchaser identification card, the heir or legatee is required to
32 sell the firearm to a licensed retail dealer of firearms or arrange for the
33 sale of the firearm by the licensed retail dealer. The licensed retail
34 dealer is to provide the heir or legatee with a receipt and record the
35 date of surrender, the name of the heir or legatee, and the serial
36 number, manufacturer, and model of the surrendered firearm.

37 The bill permits an heir or legatee who possesses a valid permit to
38 purchase a handgun or firearms purchaser identification card to take
39 possession of the firearm directly from the administrator or executor of
40 the estate or from the chief law enforcement officer or superintendent,
41 as appropriate, if the heir or legatee files a signed certification as
42 prescribed by the superintendent. The certification would be filed with
43 the chief law enforcement officer of the municipality in which the
44 decedent resided or, if there is no chief law enforcement officer, the
45 superintendent.