

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5030

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 13, 2021

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 5030.

As amended by committee, Assembly Bill No. 5030 imposes additional safeguards on the issuance of firearms purchaser identification cards, imposes training requirements, and revises the procedures for an heir or legatee to inherit or receive possession of a firearm.

Under current law, a firearms purchaser identification card is valid indefinitely, unless the holder becomes subject to any of the disabilities that disqualify a person for firearms ownership. The amended bill provides that a firearms purchaser identification card issued or renewed after the bill's effective date would expire during the fourth calendar year following its date of issuance and on the same calendar day as the card holder's date of birth. The holder of a firearms purchaser identification card issued prior to the bill's effective date would expire to within four years of the bill's enactment and on the same calendar day as the card holder's date of birth. The bill further provides that a firearms purchaser identification card may be renewed if the holder is not subject to any of the statutory disabilities and after filing of a renewal application and payment of the required fee.

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

Under current law, a permit to purchase a handgun or a firearms purchaser identification card is not required for the passing of a firearm to an heir or legatee upon the death of the owner, whether the

firearm is passed by testamentary bequest or by the laws of intestacy. This bill requires the heir or legatee to possess a permit to purchase a handgun or a firearms purchaser identification card prior to taking possession of the firearm. An administrator or executor of the estate who does not possess a valid firearms purchaser identification card or permit to purchase a handgun is to surrender custody of the firearm within 30 days to the chief law enforcement officer of the municipality in which the decedent resided or, if municipality does not have a police department or force, the superintendent. The chief law enforcement officer or superintendent, as appropriate, would retain custody of the firearm until the heir or legatee obtains a valid permit to purchase a handgun or firearms purchaser identification card. If the heir or legatee does not obtain a permit to purchase a handgun or firearms purchaser identification card, the heir or legatee is required to sell the firearm to a licensed retail dealer of firearms or arrange for the sale of the firearm by the licensed retail dealer. The licensed retail dealer is to provide the heir or legatee with a receipt and record the date of surrender, the name of the heir or legatee, and the serial number, manufacturer, and model of the surrendered firearm.

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

COMMITTEE AMENDMENTS

The committee amended the bill to require:

- 1) a firearms purchaser identification card issued or renewed after the bill's effective date to expire during the fourth calendar year following its date of issuance and on the same calendar day as the card holder's date of birth; and
- 2) a firearms purchaser identification card issued prior to the bill's effective date to expire to within four years of the bill's enactment and on the same calendar day as the card holder's date of birth.