

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5787

STATE OF NEW JERSEY

DATED: DECEMBER 13, 2021

The Assembly Appropriations Committee reports favorably Assembly Bill No. 5787.

This bill requires all newly manufactured semi-automatic handguns sold in this State by licensed retail firearms dealers to be micro-stamped.

Micro-stamping is a laser technology that can engrave or etch microscopic identifying characters or letters on small objects. These characters or letters would be engraved onto the internal working parts of the semi-automatic handgun to ensure that an alpha-numeric or geometric code is imprinted on the cartridge case when the semi-automatic handgun is fired. The alpha-numeric or geometric code would identify the make, model, and serial number of the semi-automatic handgun. The array of characters on the cartridge may then be utilized by law enforcement to identify the make, model, and serial number of the handgun.

The bill requires licensed retail firearms dealers to report their handgun sales to the State Police. The bill directs the Superintendent of State Police to establish and maintain this information in a database which would be accessible by each law enforcement agency in the State.

A licensed retail firearms dealer who sells or transfers a handgun that is not micro-stamped would be guilty of a crime of the fourth degree. In addition, it would be a third degree crime to deface or remove the microstamping mechanism of a semi-automatic handgun for the purpose of altering the appearance of its alpha-numeric or geometric code. A person who purchases, buys, receives, disposes of or conceals a semi-automatic handgun with the knowledge that the microstamping mechanism has been defaced or removed would be guilty of a crime of the fourth degree. A crime of the third degree is punishable by a term of imprisonment of three to five years; a fine of up to \$15,000; or both. A crime of the fourth degree is punishable by a term of imprisonment for not more than 18 months; a fine of up to \$10,000; or both.

FISCAL IMPACT:

The Office of Legislative Services determines that criminalizing behavior not currently defined as such would result in indeterminate annual expenditure increases to the Department of Law and Public Safety, the Judiciary, the Office of the Public Defender, and county prosecutors' offices. The OLS lacks pertinent data on the frequency of this behavior relating to microstamping, and thus has no basis for quantifying the bill's fiscal impact.

This bill creates new offenses which would be crimes of either the third or fourth degree. A crime of the third degree is punishable by a term of imprisonment of three to five years, a fine of up to \$15,000, or both. A crime of the fourth degree is punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both.

The Department of Corrections would incur increased annual costs if the bill's provisions result in more incarcerations.

The State would incur an indeterminate annual revenue increase from fine and penalty payments if the bill's provisions result in more convictions.