

P.L. 2021, CHAPTER 327, *approved December 21, 2021*
Assembly, No. 5599 (*First Reprint*)

1 **AN ACT** concerning security for certain judges and amending
2 N.J.S.2C:33-4, N.J.S.2C:58-3 and P.L.2013, c.272 and
3 supplementing Title 2C of the New Jersey Statutes.

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

7
8 1. N.J.S.2C:33-4 is amended to read as follows:
9 2C:33-4. Harassment.

10 Except as provided in subsection e., a person commits a petty
11 disorderly persons offense if, with purpose to harass another, he:

12 a. Makes, or causes to be made, **[a more communication or]**
13 one or more communications anonymously or at extremely
14 inconvenient hours, or in offensively coarse language, or any other
15 manner likely to cause annoyance or alarm;

16 b. Subjects another to striking, kicking, shoving, or other
17 offensive touching, or threatens to do so; or

18 c. Engages in any other course of alarming conduct or of
19 repeatedly committed acts with purpose to alarm or seriously annoy
20 such other person.

21 A communication under subsection a. may be deemed to have
22 been made either at the place where it originated or at the place
23 where it was received.

24 d. (Deleted by amendment, P.L.2001, c.443).

25 e. A person commits a crime of the fourth degree if, in
26 committing an offense under this section, he was serving a term of
27 imprisonment or was on parole or probation as the result of a
28 conviction of any indictable offense under the laws of this State,
29 any other state or the United States or he knowingly directs such
30 action to a current or former judge that relates to the performance of
31 the judge's public duties.

32 (cf: P.L.2001, c.443, s.3)

33
34 2. Section 1 of P.L.2013, c.272 (2C:33-4.1) is amended to read
35 as follows:

36 1. a. A person commits the crime of cyber-harassment if, while
37 making **[a]** one or more **[communication]** communications in an

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly amendments adopted in accordance with Governor's
recommendations November 8, 2021.

1 online capacity via any electronic device or through a social
2 networking site and with the purpose to harass another, the person:

3 (1) threatens to inflict injury or physical harm to any person or
4 the property of any person;

5 (2) knowingly sends, posts, comments, requests, suggests, or
6 proposes any lewd, indecent, or obscene material to or about a
7 person with the intent to emotionally harm a reasonable person or
8 place a reasonable person in fear of physical or emotional harm to
9 his person; or

10 (3) threatens to commit any crime against the person or the
11 person's property.

12 b. Cyber-harassment is a crime of the fourth degree, unless the
13 person is 21 years of age or older at the time of the offense and
14 impersonates a minor for the purpose of cyber-harassing a minor, in
15 which case it is a crime of the third degree.

16 c. If a minor under the age of 16 is adjudicated delinquent for
17 cyber-harassment, the court may order as a condition of the
18 sentence that the minor, accompanied by a parent or guardian,
19 complete, in a satisfactory manner, one or both of the following:

20 (1) a class or training program intended to reduce the tendency
21 toward cyber-harassment behavior; or

22 (2) a class or training program intended to bring awareness to
23 the dangers associated with cyber-harassment.

24 d. A parent or guardian who fails to comply with a condition
25 imposed by the court pursuant to subsection c. of this section is a
26 disorderly person and shall be fined not more than \$25 for a first
27 offense and not more than \$100 for each subsequent offense.

28 e. ¹ [A person commits a crime of the fourth degree if in
29 committing] The trier of fact may infer that a person acted with a
30 purpose to harass another if the person knows or should have
31 known that any of the person's actions constituting¹ an offense
32 under this section ¹ [he] are¹ knowingly ¹ [directs such action to a
33 current or former judge that] directed to or are about a judicial
34 officer, and there is a nexus between the offense and¹ relates to the
35 performance of the judge's public duties. ¹ For the purposes of this
36 subsection, "judicial officer" has the same meaning as defined in
37 section 1 of P.L.1995, c.23 (C.47:1A-1.1).¹

38 (cf: P.L.2013, c.272, s.1)

39

40 3. (New section) a. ¹ [Upon report to law enforcement of a
41 crime, including but not limited to, Homicide, N.J.S.2C:11-1 et
42 seq.; Assault, N.J.S.2C:12-1; Terroristic Threats, N.J.S.2C:12-3;
43 Kidnapping, N.J.S.2C:13-1; Criminal Restraint, N.J.S.2C:13-2;
44 False Imprisonment, N.J.S.2C:13-3; Sexual Assault, N.J.S.2C:14-2;
45 Criminal Sexual Contact, N.J.S.2C:14-3; Lewdness, N.J.S.2C:14-4;
46 Criminal Mischief, N.J.S.2C:17-3; Burglary, N.J.S.2C:18-2;
47 Criminal Trespass, N.J.S.2C:18-3; Harassment, N.J.S.2C:33-4;
48 Stalking, section 1 of P.L.1992, c.209 (C.2C:12-10); Criminal

1 Coercion, N.J.S.2C:13-5; Robbery, N.J.S.2C:15-1; Arson,
2 N.J.S.2C:17-1; Prohibited Weapons and Devices, N.J.S.2C:39-3;
3 Filing or Recording False Document, Lien, Encumbrance or Court
4 Action, section 7 of P.L.2015, c.59 (C.2C:21-42), or threat thereof,]
5 At any time following the charge or conviction of a defendant for
6 any crime directed at or committed¹ against a ¹**['current or former**
7 **judge and a finding by law enforcement that]** judicial officer
8 where¹ there is a nexus between the alleged crime ¹**['reported]**
9 charged or the crime for which the defendant was convicted, as the
10 case may be,¹ and the performance of the ¹**['current or former**
11 **judge's]** judicial officer's¹ public duties, ¹**['law enforcement]** a
12 petitioner¹ may petition the Superior Court for emergency, ex parte
13 relief in the form of a temporary order of protection ¹**['on behalf of**
14 **the current or former judge]** if the court finds that the respondent
15 poses a threat to the safety or well-being of the judicial officer or a
16 family or household member of the judicial officer¹ .

17 b. The court may issue a temporary protection order upon good
18 cause shown in sworn testimony or petition by the ¹**['law**
19 **enforcement officer]** petitioner¹. The temporary protection order
20 shall remain in effect until a judge issues a further order.

21 c. Emergency relief granted in the temporary protection order
22 may include forbidding the ¹**['defendant]** respondent¹ from
23 returning to the scene of the alleged crime, prohibiting the
24 ¹**['defendant]** respondent¹ from having any contact with the
25 ¹**['judge]** judicial officer, family or household members of the
26 judicial officer,¹ or the ¹**['judge's]** judicial officer's¹ friends, co-
27 workers, or relatives in any way, forbidding the ¹**['defendant]**
28 respondent¹ from possessing any firearm or other weapon
29 enumerated in subsection r. of N.J.S.2C:39-1, ordering the search
30 for and seizure of any firearm or other weapon at any location
31 where the court has reasonable cause to believe the weapon is
32 located and the seizure of any firearms purchaser identification card
33 or permit to purchase a handgun issued to the ¹**['defendant]**
34 respondent¹. The court shall state with specificity the reasons for
35 and the scope of any search and seizure authorized by the order.

36 d. An order granting emergency relief, together with the
37 petition, shall be immediately served upon the ¹**['defendant]**
38 respondent¹ and forwarded to the appropriate law enforcement
39 agencies for the municipalities in which the victim and the
40 ¹**['defendant]** respondent¹ reside.

41 ¹e. For purposes of this section and section 4 of
42 P.L. , c. (C.) (pending before the Legislature as this bill):

43 (1) "Judicial officer" means any active, formerly active, or
44 retired federal, state, county, or municipal judge, including a judge
45 of the Tax Court and any other court of limited jurisdiction
46 established, altered, or abolished by law, a judge of the Office of

1 Administrative Law, a judge of the Division of Workers'
 2 Compensation, and any other judge established by law who serves
 3 in the executive branch;

4 (2) "Law enforcement officer" means a person whose public
 5 duties include the power to act as an officer for the detection,
 6 apprehension, arrest, and conviction of offenders against the laws of
 7 this State;

8 (3) "Petitioner" means a law enforcement officer, a formerly
 9 active or retired judicial officer or a family or household member of
 10 such judicial officer, or an active judicial officer on behalf of whom
 11 a law enforcement officer has declined to petition the Superior
 12 Court pursuant to this section or a family or household member of
 13 such judicial officer; and

14 (4) "Family or household member" means a spouse, domestic
 15 partner as defined in section 3 of P.L.2003, c.246 (C.26:8A-3),
 16 partner in a civil union couple as defined in section 2 of P.L.2006,
 17 c.103 (C.37:1-29), or former spouse, former domestic partner, or
 18 former partner in a civil union couple, or any other person who is a
 19 present household member or was at any time a household member;
 20 a person with whom the respondent has a child in common, or with
 21 whom the respondent anticipates having a child in common if one
 22 of the parties is pregnant; or a current or former dating partner."¹

23
 24 4. (New section) a. A hearing shall be held in the Superior
 25 Court within 10 days of the filing of the petition in the county
 26 where the ex parte temporary protection order was issued, unless
 27 good cause is shown for the hearing to be held elsewhere. At the
 28 hearing the standard for proving the allegations in the petition shall
 29 be a preponderance of the evidence ¹which petition shall be granted
 30 if the court finds by a preponderance of evidence that there is a
 31 nexus between the alleged crime charged or the crime for which the
 32 respondent was convicted, as the case may be, and the performance
 33 of the judicial officer's public duties and that the respondent poses a
 34 threat to the safety or well-being of the judicial officer or a family
 35 or household member of the judicial officer¹. In determining
 36 whether a final order of protection should be granted the court shall
 37 consider but not be limited to the previous history between the
 38 ¹**["current or former judge] judicial officer**¹ and the ¹**["defendant]**
 39 **respondent**¹, including threats, harassment, and physical
 40 intimidation; and the existence of immediate danger to person or
 41 property.

42 b. The court shall grant any relief necessary to protect the victim
 43 from further harm, including but not limited to forbidding the
 44 ¹**["defendant] respondent**¹ from returning to the scene of the alleged
 45 crime, prohibiting the ¹**["defendant] respondent**¹ from having any
 46 contact with the ¹**["judge] judicial officer, family or household**
 47 **members of the judicial officer**¹ or the ¹**["judge's] judicial officer's**¹
 48 friends, co-workers, or relatives in any way, forbidding the

1 '【defendant】 respondent'¹ from possessing any firearm or other
2 weapon enumerated in subsection r. of N.J.S.2C:39-1, ordering the
3 search for and seizure of any firearm or other weapon at any
4 location where the court has reasonable cause to believe the weapon
5 is located, the seizure of any firearms purchaser identification card
6 or permit to purchase a handgun issued to the '【defendant】
7 respondent'¹, and requiring the '【defendant】 respondent'¹ to undergo
8 mental health evaluation and appropriate treatment.

9
10 5. (New section) A violation by the defendant of an order
11 issued pursuant to this act shall constitute an offense under
12 subsection b. of N.J.S.2C:29-9 and each order shall so state.

13
14 6. N.J.S.2C:58-3 is amended to read as follows:

15 2C:58-3. a. Permit to purchase a handgun.

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

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

25 The provisions of this paragraph shall not apply if the transaction
26 is:

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

29 (b) between law enforcement officers;

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

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

37 (3) Prior to a transaction conducted pursuant to this subsection,
38 the retail dealer shall complete a National Instant Criminal
39 Background Check of the person acquiring the handgun. In
40 addition:

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

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

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

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

6 b. Firearms purchaser identification card.

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

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

28 The provisions of this paragraph shall not apply if the transaction
29 is:

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

32 (b) between law enforcement officers;

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

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

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

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

47 (b) every retail dealer shall maintain a record of transactions
48 conducted pursuant to this section which shall be maintained at the

1 address set forth on the retail dealer's license for inspection by a law
2 enforcement officer during reasonable hours;

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

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

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

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

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

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

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

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

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

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

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

4 (9) To any person named on the consolidated Terrorist Watchlist
5 maintained by the Terrorist Screening Center administered by the
6 Federal Bureau of Investigation; **【or】**

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

12 (11) To any person who is subject to a court order prohibiting
13 the custody, control, ownership, purchase, possession, or receipt of
14 a firearm or ammunition issued pursuant to P.L. , c. (C.)
15 (pending before the Legislature as this bill).

16 d. Issuance. The chief of police of an organized full-time
17 police department of the municipality where the applicant resides or
18 the superintendent, in all other cases, shall upon application, issue
19 to any person qualified under the provisions of subsection c. of this
20 section a permit to purchase a handgun or a firearms purchaser
21 identification card.

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

37 e. Applications. Applications for permits to purchase a
38 handgun and for firearms purchaser identification cards shall be in
39 the form prescribed by the superintendent and shall set forth the
40 name, residence, place of business, age, date of birth, occupation,
41 sex and physical description, including distinguishing physical
42 characteristics, if any, of the applicant, and shall state whether the
43 applicant is a citizen, whether he is an alcoholic, habitual drunkard,
44 drug dependent person as defined in section 2 of P.L.1970, c.226
45 (C.24:21-2), whether he has ever been confined or committed to a
46 mental institution or hospital for treatment or observation of a
47 mental or psychiatric condition on a temporary, interim or
48 permanent basis, giving the name and location of the institution or

1 hospital and the dates of confinement or commitment, whether he
2 has been attended, treated or observed by any doctor or psychiatrist
3 or at any hospital or mental institution on an inpatient or outpatient
4 basis for any mental or psychiatric condition, giving the name and
5 location of the doctor, psychiatrist, hospital or institution and the
6 dates of the occurrence, whether he presently or ever has been a
7 member of any organization which advocates or approves the
8 commission of acts of force and violence to overthrow the
9 Government of the United States or of this State, or which seeks to
10 deny others their rights under the Constitution of either the United
11 States or the State of New Jersey, whether he has ever been
12 convicted of a crime or disorderly persons offense, whether the
13 person is subject to a restraining order issued pursuant to the
14 "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261
15 (C.2C:25-17 et seq.) prohibiting the person from possessing any
16 firearm, whether the person is subject to a protective order issued
17 pursuant to the "Extreme Risk Protective Order Act of 2018,"
18 P.L.2018, c.35 (C.2C:58-20 et al.), whether the person is subject to
19 a protective order issued pursuant to P.L. c. (C.) (pending
20 before the Legislature as this bill prohibiting the person from
21 possessing any firearm, and other information as the superintendent
22 shall deem necessary for the proper enforcement of this chapter.
23 For the purpose of complying with this subsection, the applicant
24 shall waive any statutory or other right of confidentiality relating to
25 institutional confinement. The application shall be signed by the
26 applicant and shall contain as references the names and addresses of
27 two reputable citizens personally acquainted with him.

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

31 The chief police officer or the superintendent shall obtain the
32 fingerprints of the applicant and shall have them compared with any
33 and all records of fingerprints in the municipality and county in
34 which the applicant resides and also the records of the State Bureau
35 of Identification and the Federal Bureau of Investigation, provided
36 that an applicant for a handgun purchase permit who possesses a
37 valid firearms purchaser identification card, or who has previously
38 obtained a handgun purchase permit from the same licensing
39 authority for which he was previously fingerprinted, and who
40 provides other reasonably satisfactory proof of his identity, need not
41 be fingerprinted again; however, the chief police officer or the
42 superintendent shall proceed to investigate the application to
43 determine whether or not the applicant has become subject to any of
44 the disabilities set forth in this chapter.

45 f. Granting of permit or identification card; fee; term; renewal;
46 revocation. The application for the permit to purchase a handgun
47 together with a fee of \$2, or the application for the firearms
48 purchaser identification card together with a fee of \$5, shall be

1 delivered or forwarded to the licensing authority who shall
2 investigate the same and, unless good cause for the denial thereof
3 appears, shall grant the permit or the identification card, or both, if
4 application has been made therefor, within 30 days from the date of
5 receipt of the application for residents of this State and within 45
6 days for nonresident applicants. A permit to purchase a handgun
7 shall be valid for a period of 90 days from the date of issuance and
8 may be renewed by the issuing authority for good cause for an
9 additional 90 days. A firearms purchaser identification card shall
10 be valid until such time as the holder becomes subject to any of the
11 disabilities set forth in subsection c. of this section, whereupon the
12 card shall be void and shall be returned within five days by the
13 holder to the superintendent, who shall then advise the licensing
14 authority. Failure of the holder to return the firearms purchaser
15 identification card to the superintendent within the five days shall
16 be an offense under subsection a. of N.J.S.2C:39-10. Any firearms
17 purchaser identification card may be revoked by the Superior Court
18 of the county wherein the card was issued, after hearing upon
19 notice, upon a finding that the holder thereof no longer qualifies for
20 the issuance of the permit. The county prosecutor of any county,
21 the chief police officer of any municipality or any citizen may apply
22 to the court at any time for the revocation of the card.

23 There shall be no conditions or requirements added to the form
24 or content of the application, or required by the licensing authority
25 for the issuance of a permit or identification card, other than those
26 that are specifically set forth in this chapter.

27 g. Disposition of fees. All fees for permits shall be paid to the
28 State Treasury if the permit is issued by the superintendent, to the
29 municipality if issued by the chief of police, and to the county
30 treasurer if issued by the judge of the Superior Court.

31 h. Form of permit; quadruplicate; disposition of copies. The
32 permit shall be in the form prescribed by the superintendent and
33 shall be issued to the applicant in quadruplicate. Prior to the time
34 he receives the handgun from the seller, the applicant shall deliver
35 to the seller the permit in quadruplicate and the seller shall
36 complete all of the information required on the form. Within five
37 days of the date of the sale, the seller shall forward the original
38 copy to the superintendent and the second copy to the chief of
39 police of the municipality in which the purchaser resides, except
40 that in a municipality having no chief of police, the copy shall be
41 forwarded to the superintendent. The third copy shall then be
42 returned to the purchaser with the pistol or revolver and the fourth
43 copy shall be kept by the seller as a permanent record.

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

- 1 (1) a federal, State, or local law enforcement officer or agency
2 purchasing handguns for use by officers in the actual performance
3 of their law enforcement duties;
- 4 (2) a collector of handguns as curios or relics as defined in Title
5 18, United States Code, section 921 (a) (13) who has in his
6 possession a valid Collector of Curios and Relics License issued by
7 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;
- 8 (3) transfers of handguns among licensed retail dealers,
9 registered wholesale dealers and registered manufacturers;
- 10 (4) transfers of handguns from any person to a licensed retail
11 dealer or a registered wholesale dealer or registered manufacturer;
- 12 (5) any transaction where the person has purchased a handgun
13 from a licensed retail dealer and has returned that handgun to the
14 dealer in exchange for another handgun within 30 days of the
15 original transaction, provided the retail dealer reports the exchange
16 transaction to the superintendent; or
- 17 (6) any transaction where the superintendent issues an
18 exemption from the prohibition in this subsection pursuant to the
19 provisions of section 4 of P.L.2009, c.186 (C.2C:58-3.4).
- 20 The provisions of this subsection shall not be construed to afford
21 or authorize any other exemption from the regulatory provisions
22 governing firearms set forth in chapter 39 and chapter 58 of Title
23 2C of the New Jersey Statutes;
- 24 A person shall not be restricted as to the number of rifles or
25 shotguns he may purchase, provided he possesses a valid firearms
26 purchaser identification card and provided further that he signs the
27 certification required in subsection b. of this section for each
28 transaction.
- 29 j. Firearms passing to heirs or legatees. Notwithstanding any
30 other provision of this section concerning the transfer, receipt or
31 acquisition of a firearm, a permit to purchase or a firearms
32 purchaser identification card shall not be required for the passing of
33 a firearm upon the death of an owner thereof to his heir or legatee,
34 whether the same be by testamentary bequest or by the laws of
35 intestacy. The person who shall so receive, or acquire the firearm
36 shall, however, be subject to all other provisions of this chapter. If
37 the heir or legatee of the firearm does not qualify to possess or carry
38 it, he may retain ownership of the firearm for the purpose of sale for
39 a period not exceeding 180 days, or for a further limited period as
40 may be approved by the chief law enforcement officer of the
41 municipality in which the heir or legatee resides or the
42 superintendent, provided that the firearm is in the custody of the
43 chief law enforcement officer of the municipality or the
44 superintendent during that period.
- 45 k. Sawed-off shotguns. Nothing in this section shall be
46 construed to authorize the purchase or possession of any sawed-off
47 shotgun.

1 l. Nothing in this section and in N.J.S.2C:58-2 shall apply to
2 the sale or purchase of a visual distress signalling device approved
3 by the United States Coast Guard, solely for possession on a private
4 or commercial aircraft or any boat; provided, however, that no
5 person under the age of 18 years shall purchase nor shall any person
6 sell to a person under the age of 18 years a visual distress signalling
7 device.

8 m. The provisions of subsections a. and b. of this section and
9 paragraphs (4) and (5) of subsection a. of N.J.S.2C:58-2 shall not
10 apply to the purchase of firearms by a law enforcement agency for
11 use by law enforcement officers in the actual performance of the
12 current or former judge's duties, which purchase may be made
13 directly from a manufacturer or from a licensed dealer located in
14 this State or any other state.

15 n. For the purposes of this section, "immediate family" means a
16 spouse, domestic partner as defined in section 3 of P.L.2003, c.246
17 (C.26:8A-3), partner in a civil union couple as defined in section 2
18 of P.L.2006, c.103 (C.37:1-29), parent, stepparent, grandparent,
19 sibling, stepsibling, child, stepchild, and grandchild, as related by
20 blood or by law.

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

22
23 7. This act shall take effect immediately.
24
25
26
27

28 Establishes order of protection for judicial officer; upgrades and
29 clarifies harassment against judicial officer; bars firearms
30 possession by persons against whom judicial officer order of
31 protection is entered.