

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 372

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2021

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 372.

As amended and reported by the committee, this bill requires firearm owners who move to New Jersey to obtain a firearm purchaser identification card (FPIC) and register handguns.

Under current law, a person who purchases a firearm in this State is required to display an FPIC, which identifies the card holder as a person who meets the statutory qualifications to purchase a firearm in this State. A person who legally owned a firearm while residing in another state and then moves to New Jersey currently is not required to obtain an FPIC. The person also is not required to register the firearm, but may do so voluntarily.

The amended bill requires a firearm owner who becomes a resident of this State to apply for an FPIC within 60 days and if the firearm is a handgun, to register that handgun within 60 days. To register the handgun, the owner is required to submit to the municipal law enforcement agency or the State Police a registration statement that provides the person's name and address and the make, model, and serial number of the firearm being registered.

Under the amended bill, the Superintendent of State Police is required to prepare the form of registration statement and provide a suitable supply of statements to each organized full-time municipal police department and each State Police station within 60 days prior to the bill's enactment.

The amended bill provides that a person who fails to apply for a firearm purchaser identification card or register a handgun as required under the bill's provisions is liable to a civil penalty of \$250 for a first offense and is guilty of a disorderly persons offense for a second or subsequent offense. Under the amended bill, if a person is in possession of multiple firearms or handguns in violation of the bill's provisions, the person is guilty of one offense under the bill provided the violation is a single event.

Finally, the amended bill provides that the civil penalty is to be collected pursuant to the "Penalty Enforcement Law of 1999" in a summary proceeding before the municipal court having jurisdiction.

Under the amended bill, a law enforcement officer having enforcement authority in that municipality may issue a summons for a violation and may serve and execute all process with respect to the enforcement consistent with the Rules of Court.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) limit the registration requirement to handguns; as introduced, all firearms were to be registered;

(2) extend the time frame for applying for a FPIC and registering a handgun from 30 to 60 days;

(3) provide that a person who fails to apply for a firearm purchaser identification card or register a handgun as required under the bill's provisions is liable to a civil penalty of \$250 for a first offense and is guilty of a disorderly persons offense for a second or subsequent offense;

(4) provide that if a person is in possession of multiple firearms or handguns in violation of the bill's provisions, the person is guilty of one offense under the bill provided the violation is a single event; and

(5) require the civil penalty to be collected pursuant to the "Penalty Enforcement Law" in a summary proceeding before the municipal court having jurisdiction and provide that a law enforcement officer having enforcement authority in that municipality may issue a summons for a violation and may serve and execute all process with respect to the enforcement consistent with the Rules of Court.