

# SENATE, No. 1481

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

**Sponsored by:**

**Senator LORETTA WEINBERG**

**District 37 (Bergen)**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Co-Sponsored by:**

**Senator Turner**

**SYNOPSIS**

Regulates sale of handgun ammunition and develops system for electronic reporting of firearm information.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/15/2021)**

S1481 WEINBERG, GREENSTEIN

2

1 AN ACT concerning the sale of ammunition, amending N.J.S.2C:58-  
2 1, N.J.S.2C:58-2, N.J.S.2C:58-3, and P.L.2007, c.318, 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:58-1 is amended to read as follows:

9 2C:58-1. Registration of manufacturers and wholesale dealers of  
10 firearms

11 a. Registration. Every manufacturer and wholesale dealer of  
12 firearms shall register with the superintendent as provided in this  
13 section. No person shall engage in the business of, or act as a  
14 manufacturer or wholesale dealer of firearms, or manufacture or sell  
15 at wholesale any firearm, until he has so registered.

16 Applications for registration shall be made on such forms as  
17 shall be prescribed by the superintendent, and the applicant shall  
18 furnish such information and other particulars as may be prescribed  
19 by law or by any rules or regulations promulgated by the  
20 superintendent. Each application for registration or renewal shall  
21 be accompanied by a fee of \$150.00.

22 The superintendent shall prescribe standards and qualifications  
23 for the registration of manufacturers and wholesalers of firearms,  
24 for the protection of the public safety, health and welfare. He shall  
25 refuse to register any applicant for registration unless he is satisfied  
26 that the applicant can be permitted to engage in business as a  
27 manufacturer or wholesale dealer of firearms without any danger to  
28 the public safety, health or welfare.

29 The superintendent shall issue a certificate of registration to  
30 every person registered under this section, and such certificate shall  
31 be valid for a period of 3 years from the date of issuance.

32 b. Wholesale dealer's agent. Every registered wholesale dealer  
33 of firearms shall cause each of his agents or employees actively  
34 engaged in the purchase or sale of firearms to be licensed with the  
35 superintendent as a wholesale dealer's agent. Applications for  
36 agents' licenses shall be submitted on such forms as shall be  
37 prescribed by the superintendent, and shall be signed by the  
38 registered wholesale dealer and by the agent. Each application shall  
39 be accompanied by a fee of \$5.00, and each license shall be valid  
40 for so long as the agent or employee remains in the employ of the  
41 wholesale dealer and the wholesale dealer remains validly  
42 registered under this section. The superintendent shall prescribe  
43 standards and qualifications for licensed wholesale dealers' agents,  
44 for the protection of the public safety, health and welfare.

**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 c. Revocation of certificate of registration or license. The  
2 superintendent may, after reasonable notice to all affected parties  
3 and a hearing if requested, revoke any certificate of registration or  
4 agent's license if he finds that the registered or licensed person is no  
5 longer engaged in the business of manufacturing or wholesaling  
6 firearms in this State or that he can no longer be permitted to carry  
7 on such business without endangering the public safety, health or  
8 welfare. A certificate or license may be canceled at any time at the  
9 request of the registered or licensed person.

10 d. Appeals. Any person aggrieved by the refusal of the  
11 superintendent to register him as a manufacturer or wholesale dealer  
12 or a wholesale dealer's agent, or by revocation of his certificate or  
13 license, may appeal to the Appellate Division of the Superior Court.

14 e. Records of sales. Every manufacturer and wholesale dealer  
15 shall keep a detailed record of each firearm and all handgun  
16 ammunition sold by **【him】** the manufacturer and dealer. The  
17 firearm record shall include the date of sale, the name and address  
18 of the purchaser, a description of each firearm and the firearm's  
19 serial number 【thereof】. The handgun ammunition record shall be  
20 in electronic form and shall contain the date of the transaction; the  
21 type, caliber, or gauge of the ammunition; the quantity of  
22 ammunition sold; the name and address of the purchaser; and any  
23 other information the superintendent shall deem necessary for the  
24 proper enforcement of this chapter. The records shall be available  
25 for inspection at all reasonable times by any law enforcement  
26 officer.

27 Every manufacturer and wholesale dealer shall establish a system  
28 for maintaining electronic records pursuant to this subsection within  
29 12 months of the effective date of P.L. , c. (C. ) (pending  
30 before the Legislature as this bill).

31 (cf: N.J.S.2C:58-1)

32  
33 2. N.J.S.2C:58-2 is amended to read as follows:

34 2C:58-2. a. Licensing of retail dealers and their employees.  
35 No retail dealer of firearms nor any employee of a retail dealer shall  
36 sell or expose for sale, or possess with the intent of selling, any  
37 firearm unless licensed to do so as hereinafter provided. The  
38 superintendent shall prescribe standards and qualifications for retail  
39 dealers of firearms and their employees for the protection of the  
40 public safety, health and welfare.

41 Applications shall be made in the form prescribed by the  
42 superintendent, accompanied by a fee of \$50 payable to the  
43 superintendent, and shall be made to a judge of the Superior Court  
44 in the county where the applicant maintains his place of business.  
45 The judge shall grant a license to an applicant if he finds that the  
46 applicant meets the standards and qualifications established by the  
47 superintendent and that the applicant can be permitted to engage in  
48 business as a retail dealer of firearms or employee thereof without

1 any danger to the public safety, health and welfare. Each license  
2 shall be valid for a period of three years from the date of issuance,  
3 and shall authorize the holder to sell firearms at retail in a specified  
4 municipality.

5 In addition, every retail dealer shall pay a fee of \$5 for each  
6 employee actively engaged in the sale or purchase of firearms. The  
7 superintendent shall issue a license for each employee for whom  
8 said fee has been paid, which license shall be valid for so long as  
9 the employee remains in the employ of said retail dealer.

10 No license shall be granted to any retail dealer under the age of  
11 21 years or to any employee of a retail dealer under the age of 18 or  
12 to any person who could not qualify to obtain a permit to purchase a  
13 handgun or a firearms purchaser identification card, or to any  
14 corporation, partnership or other business organization in which the  
15 actual or equitable controlling interest is held or possessed by such  
16 an ineligible person.

17 All licenses shall be granted subject to the following conditions,  
18 for breach of any of which the license shall be subject to revocation  
19 on the application of any law enforcement officer and after notice  
20 and hearing by the issuing court:

21 (1) The business shall be carried on only in the building or  
22 buildings designated in the license, provided that repairs may be  
23 made by the dealer or his employees outside of such premises.

24 (2) The license or a copy certified by the issuing authority shall  
25 be displayed at all times in a conspicuous place on the business  
26 premises where it can be easily read.

27 (3) No firearm or imitation thereof shall be placed in any  
28 window or in any other part of the premises where it can be readily  
29 seen from the outside.

30 (4) No rifle or shotgun, except antique rifles or shotguns, shall  
31 be delivered to any person unless such person possesses and  
32 exhibits a valid firearms purchaser identification card and furnishes  
33 the seller, on the form prescribed by the superintendent, a  
34 certification signed by him setting forth his name, permanent  
35 address, firearms purchaser identification card number and such  
36 other information as the superintendent may by rule or regulation  
37 require. The certification shall be retained by the dealer and shall  
38 be made available for inspection by any law enforcement officer at  
39 any reasonable time.

40 (5) No handgun shall be delivered to any person unless:

41 (a) Such person possesses and exhibits a valid permit to  
42 purchase a firearm and at least seven days have elapsed since the  
43 date of application for the permit;

44 (b) The person is personally known to the seller or presents  
45 evidence of his identity;

46 (c) The handgun is unloaded and securely wrapped;

47 (d) The handgun is accompanied by a trigger lock or a locked  
48 case, gun box, container or other secure facility; provided, however,

1 this provision shall not apply to antique handguns or personalized  
2 handguns included in the roster pursuant to section 2 of P.L.2019,  
3 c.164 (C.2C:58-2.8). The exemptions afforded under this  
4 subparagraph for antique handguns and personalized handguns shall  
5 be narrowly construed, limited solely to the requirements set forth  
6 herein and shall not be deemed to afford or authorize any other  
7 exemption from the regulatory provisions governing firearms set  
8 forth in chapter 39 and chapter 58 of Title 2C of the New Jersey  
9 Statutes; and

10 (e) (Deleted by amendment, P.L.2019, c.164)

11 (6) The dealer shall keep a true record of every handgun sold,  
12 given or otherwise delivered or disposed of, in accordance with the  
13 provisions of subsections b. through e. of this section and the record  
14 shall note whether a trigger lock, locked case, gun box, container or  
15 other secure facility was delivered along with the handgun.

16 (7) A dealer shall not knowingly deliver more than one handgun  
17 to any person within any 30-day period. This limitation shall not  
18 apply to:

19 (a) a federal, State, or local law enforcement officer or agency  
20 purchasing handguns for use by officers in the actual performance  
21 of their law enforcement duties;

22 (b) a collector of handguns as curios or relics as defined in Title  
23 18, United States Code, section 921 (a) (13) who has in his  
24 possession a valid Collector of Curios and Relics License issued by  
25 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

26 (c) transfers of handguns among licensed retail dealers,  
27 registered wholesale dealers and registered manufacturers;

28 (d) any transaction where the person has purchased a handgun  
29 from a licensed retail dealer and has returned that handgun to the  
30 dealer in exchange for another handgun within 30 days of the  
31 original transaction, provided the retail dealer reports the exchange  
32 transaction to the superintendent; or

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

36 b. Records. (1) Every person engaged in the retail business of  
37 selling, leasing or otherwise transferring a handgun, as a retail  
38 dealer or otherwise, shall keep a register in which shall be entered  
39 the time of the sale, lease or other transfer, the date thereof, the  
40 name, age, date of birth, complexion, occupation, residence and a  
41 physical description including distinguishing physical  
42 characteristics, if any, of the purchaser, lessee or transferee, the  
43 name and permanent home address of the person making the sale,  
44 lease or transfer, the place of the transaction, and the make, model,  
45 manufacturer's number, caliber and other marks of identification on  
46 such handgun and such other information as the superintendent  
47 shall deem necessary for the proper enforcement of this chapter.  
48 The register shall be retained by the dealer and shall be made

1 available at all reasonable hours for inspection by any law  
2 enforcement officer.

3 (2) Every person engaged in the retail business of selling,  
4 leasing, or otherwise transferring handgun ammunition, as a retail  
5 dealer or otherwise, shall keep an electronic record in which shall  
6 be entered the name of the manufacturer; the date of the transaction;  
7 the type; caliber or gauge of the ammunition; the quantity of the  
8 ammunition sold; the name, address, and date of birth of the  
9 purchaser; the identification used to establish the identity of the  
10 purchaser; and any other information the superintendent shall deem  
11 necessary for the proper enforcement of this chapter. The electronic  
12 records shall be retained by the dealer and shall be made available  
13 at all reasonable hours for inspection by any law enforcement  
14 officer, and additionally shall be electronically reported to the  
15 superintendent in accordance with section 4 of P.L. , c. (C. )  
16 (pending before the Legislature as this bill).

17 c. Forms of register. **【The】** (1) Until the implementation of the  
18 electronic record system described in paragraph (2) of subsection b.  
19 of this section or section 4 of P.L. , c. (C. ) (pending before  
20 the Legislature as this bill), the superintendent shall prepare the  
21 form of the register as described in paragraph 1 subsection b. of this  
22 section and furnish the same in triplicate to each person licensed to  
23 be engaged in the business of selling, leasing or otherwise  
24 transferring firearms.

25 (2) All retail dealers of handgun ammunition shall establish a  
26 system for maintaining electronic records of the sale or transfer of  
27 handgun ammunition within 12 months after the effective date of  
28 P.L. , c. (C. ) (pending before the Legislature as this bill).

29 d. Signatures in register. **【The】** Until the dealer implements an  
30 electronic record system as described in paragraph (2) of subsection  
31 b. of this section or section 4 of P.L. , c. (C. ) (pending  
32 before the Legislature as this bill), the purchaser, lessee or  
33 transferee of any handgun shall sign, and the dealer shall require  
34 him to sign his name to the register, in triplicate, and the person  
35 making the sale, lease or transfer shall affix his name, in triplicate,  
36 as a witness to the signature. The signatures , or the entry of an  
37 electronic signature in the electronic record system pursuant to  
38 paragraph (2) of subsection b. of this section or section 4 of P.L. ,  
39 c. (C. ) (pending before the Legislature as this bill), shall  
40 constitute a representation of the accuracy of the information  
41 contained in the register.

42 e. Copies of register entries; delivery to chief of police or  
43 county clerk. **【Within】** (1) Except as otherwise provided in  
44 paragraph (2) of this subsection, within five days of the date of the  
45 sale, assignment or transfer, the dealer shall deliver or mail by  
46 certified mail, return receipt requested, legible copies of the register  
47 forms to the office of the chief of police of the municipality in  
48 which the purchaser resides, or to the office of the captain of the

1 precinct of the municipality in which the purchaser resides, and to  
2 the superintendent. If hand delivered a receipt shall be given to the  
3 dealer therefor.

4 Where a sale, assignment or transfer is made to a purchaser who  
5 resides in a municipality having no chief of police, the dealer shall,  
6 within five days of the transaction, mail a duplicate copy of the  
7 register sheet to the clerk of the county within which the purchaser  
8 resides.

9 (2) A dealer shall not be required to use the triplicate form after  
10 the dealer establishes an electronic reporting system pursuant to  
11 paragraph (2) of subsection b. of this section or section 4 of P.L. ,  
12 c. (C. ) (pending before the Legislature as this bill).  
13 (cf: P.L.2019, c.164, s.7)  
14

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

16 2C:58-3. a. Permit to purchase a handgun.

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

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

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

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

30 (b) between law enforcement officers;

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

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

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

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

45 (b) every retail dealer shall maintain a record of transactions  
46 conducted pursuant to this subsection, which shall be maintained at  
47 the address displayed on the retail dealer's license for inspection by  
48 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-1 et  
5 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 the  
8 custody, control, ownership, purchase, possession, or receipt of a  
9 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 d. Issuance. The chief of police of an organized full-time  
12 police department of the municipality where the applicant resides or  
13 the superintendent, in all other cases, shall upon application, issue  
14 to any person qualified under the provisions of subsection c. of this  
15 section a permit to purchase a handgun or a firearms purchaser  
16 identification card.

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

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

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

21 Application blanks shall be obtainable from the superintendent,  
22 from any other officer authorized to grant a permit or identification  
23 card, and from licensed retail dealers, or shall be made available  
24 through an online process established or made available by the  
25 superintendent.

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

40 f. Granting of permit or identification card; fee; term; renewal;  
41 revocation. The application for the permit to purchase a handgun  
42 together with a fee of \$2, or the application for the firearms  
43 purchaser identification card together with a fee of \$5, shall be  
44 delivered or forwarded to the licensing authority who shall  
45 investigate the same and, unless good cause for the denial thereof  
46 appears, shall grant the permit or the identification card, or both, if  
47 application has been made therefor, within 30 days from the date of  
48 receipt of the application for residents of this State and within 45

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

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

22 g. Disposition of fees. All fees for permits shall be paid to the  
23 State Treasury if the permit is issued by the superintendent, to the  
24 municipality if issued by the chief of police, and to the county  
25 treasurer if issued by the judge of the Superior Court.

26 h. Form of permit; quadruplicate; disposition of copies.

27 **【The】** (1) Except as otherwise provided in paragraph (2) of this  
28 subsection, the permit shall be in the form prescribed by the  
29 superintendent and shall be issued to the applicant in quadruplicate.  
30 Prior to the time he receives the handgun from the seller, the  
31 applicant shall deliver to the seller the permit in quadruplicate and  
32 the seller shall complete all of the information required on the form.  
33 Within five days of the date of the sale, the seller shall forward the  
34 original copy to the superintendent and the second copy to the chief  
35 of police of the municipality in which the purchaser resides, except  
36 that in a municipality having no chief of police, the copy shall be  
37 forwarded to the superintendent. The third copy shall then be  
38 returned to the purchaser with the pistol or revolver and the fourth  
39 copy shall be kept by the seller as a permanent record.

40 (2) The requirements of this subsection concerning the delivery  
41 and form of permit and disposition of copies shall not be applicable  
42 when these functions may be completed by utilizing an electronic  
43 system as described in paragraph (2) of subsection b. of  
44 N.J.S.2C:58-2 or section 4 of P.L. , c. (C. ) (pending before  
45 the Legislature as this bill).

46 i. Restriction on number of firearms person may purchase.  
47 Only one handgun shall be purchased or delivered on each permit

1 and no more than one handgun shall be purchased within any 30-  
2 day period, but this limitation shall not apply to:

3 (1) a federal, State, or local law enforcement officer or agency  
4 purchasing handguns for use by officers in the actual performance  
5 of their law enforcement duties;

6 (2) a collector of handguns as curios or relics as defined in Title  
7 18, United States Code, section 921 (a) (13) who has in his  
8 possession a valid Collector of Curios and Relics License issued by  
9 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

10 (3) transfers of handguns among licensed retail dealers,  
11 registered wholesale dealers and registered manufacturers;

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

14 (5) any transaction where the person has purchased a handgun  
15 from a licensed retail dealer and has returned that handgun to the  
16 dealer in exchange for another handgun within 30 days of the  
17 original transaction, provided the retail dealer reports the exchange  
18 transaction to the superintendent; or

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

22 The provisions of this subsection shall not be construed to afford  
23 or authorize any other exemption from the regulatory provisions  
24 governing firearms set forth in chapter 39 and chapter 58 of Title  
25 2C of the New Jersey Statutes;

26 A person shall not be restricted as to the number of rifles or  
27 shotguns he may purchase, provided he possesses a valid firearms  
28 purchaser identification card and provided further that he signs the  
29 certification required in subsection b. of this section for each  
30 transaction.

31 j. Firearms passing to heirs or legatees. Notwithstanding any  
32 other provision of this section concerning the transfer, receipt or  
33 acquisition of a firearm, a permit to purchase or a firearms  
34 purchaser identification card shall not be required for the passing of  
35 a firearm upon the death of an owner thereof to his heir or legatee,  
36 whether the same be by testamentary bequest or by the laws of  
37 intestacy. The person who shall so receive, or acquire the firearm  
38 shall, however, be subject to all other provisions of this chapter. If  
39 the heir or legatee of the firearm does not qualify to possess or carry  
40 it, he may retain ownership of the firearm for the purpose of sale for  
41 a period not exceeding 180 days, or for a further limited period as  
42 may be approved by the chief law enforcement officer of the  
43 municipality in which the heir or legatee resides or the  
44 superintendent, provided that the firearm is in the custody of the  
45 chief law enforcement officer of the municipality or the  
46 superintendent during that period.

1 k. Sawed-off shotguns. Nothing in this section shall be  
2 construed to authorize the purchase or possession of any sawed-off  
3 shotgun.

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

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

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

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

25

26 4. Section 1 of P.L.2007, c.318 (C.2C:58-3.3) is amended to  
27 read as follows:

28 1. a. As used in this act **["handgun"]**:

29 "Ammunition" means an object consisting of all of the following  
30 components: a fixed metallic or nonmetallic hull casing containing  
31 a primer; one or more projectiles, one or more bullets, or shot; and  
32 gunpowder. All of the specified components shall be present for an  
33 object to be ammunition. As used in this section, ammunition shall  
34 not include, without limitation, blank ammunition, air gun pellets,  
35 flare gun ammunition, nail gun ammunition, paint ball ammunition,  
36 or any non-fixed ammunition.

37 "Handgun ammunition" means ammunition [specifically]  
38 designed [to] such that it may be used [only] in a handgun,  
39 including ammunition specifically designed to be used only in a  
40 handgun, as well as ammunition intended for use in any other  
41 firearm and which may be interchangeable between rifles and  
42 handguns. "Handgun ammunition" shall not include [blank  
43 ammunition, air gun pellets, flare gun ammunition, nail gun  
44 ammunition, paint ball ammunition, or any non-fixed] ammunition  
45 specifically designed to be used only in a rifle or shotgun.

46 b. **[No]** A person shall not sell, give, transfer, assign or  
47 otherwise dispose of, or receive, purchase, or otherwise acquire

1 handgun ammunition unless the purchaser, assignee, donee, receiver  
2 or holder is licensed as a manufacturer, wholesaler, or dealer under  
3 this chapter or is the holder of and possesses a valid firearms  
4 purchaser identification card, a valid copy of a permit to purchase a  
5 handgun, or a valid permit to carry a handgun and first exhibits  
6 **[such]** the card or permit to the seller, donor, transferor, or assignor  
7 along with a valid, current driver's license; valid, current nondriver  
8 identification card; or other valid, current government-issued form  
9 of photo identification.

10 c. No person shall sell, give, transfer, assign, or otherwise  
11 dispose of handgun ammunition to a person who is under 21 years  
12 of age.

13 d. The provisions of this section shall not apply to a collector  
14 of firearms or ammunition as curios or relics who purchases,  
15 receives, acquires, possesses, or transfers handgun ammunition  
16 which is recognized as being historical in nature or of historical  
17 significance.

18 e. A person who violates this section shall be guilty of a crime  
19 of the fourth degree, except that nothing contained herein shall be  
20 construed to prohibit the sale, transfer, assignment or disposition of  
21 handgun ammunition to or the purchase, receipt or acceptance of  
22 ammunition by a law enforcement agency or law enforcement  
23 official for law enforcement purposes.

24 f. Nothing in this section shall be construed to prohibit the  
25 transfer of ammunition for use in a lawfully transferred firearm in  
26 accordance with the provisions of section 1 of P.L.1992, c.74  
27 (C.2C:58-3.1), section 1 of P.L.1997, c.375 (C.2C:58-3.2) or  
28 section 14 of P.L.1979, c.179 (C.2C:58-6.1).

29 g. Nothing in this section shall be construed to prohibit the sale  
30 of a de minimis amount of handgun ammunition at a firearms range  
31 operated by a licensed dealer; a law enforcement agency; a legally  
32 recognized military organization; or a rifle or pistol club which has  
33 filed a copy of its charter with the superintendent for immediate use  
34 at that range.

35 (cf: P.L.2007, c.318, s.1)

36

37 5. (New section) a. (1) The Superintendent of State Police  
38 shall develop a program for retail dealers of handgun ammunition to  
39 electronically report a record of any transaction involving the sale,  
40 transfer, assignment, or disposition of handgun ammunition and  
41 information relating to each transaction. The reported information  
42 shall include: the date of the transaction; the name of the  
43 manufacturer, the caliber or gauge, and the quantity of ammunition  
44 sold or transferred; the name, address, and date of birth of the  
45 purchaser; the identification used to establish the identity of the  
46 purchaser; and any other information the superintendent may  
47 require.

1 (2) Subject to the time limitations established in paragraph (2)  
2 of subsection c. of section 2 of P.L. , c. (C. ) (pending  
3 before the Legislature as this bill), every retail dealer of  
4 ammunition as defined in section 1 of P.L.2007, c.318 (C.2C:58-  
5 3.3) shall electronically report to the superintendent a record of any  
6 transaction involving the sale, transfer, assignment, or disposition  
7 of handgun ammunition by utilizing the program developed  
8 pursuant to this subsection.

9 A retail dealer may charge a fee determined by the  
10 superintendent for a transaction electronically reported pursuant to  
11 this subsection.

12 b. (1) The superintendent shall develop a program for retail  
13 dealers to electronically report a record of any transaction involving  
14 the sale, transfer, assignment, or disposition of a firearm and  
15 information relating to each transaction.

16 (2) Within a timeframe as determined by the superintendent,  
17 every retail dealer of firearms shall electronically report to the  
18 superintendent a record of any transaction involving the sale,  
19 transfer, assignment, or disposition of a firearm by utilizing the  
20 program developed pursuant to this subsection.

21 c. The superintendent shall establish a searchable, electronic  
22 database containing the information reported pursuant subsections  
23 a. and b. of this section, which shall be available to law  
24 enforcement officers. The superintendent also shall establish  
25 security procedures to protect the confidentiality of the information  
26 contained in the database, which shall prevent access to the  
27 information by any person or entity that is not lawfully entitled to  
28 it.

29 d. The superintendent shall develop an Internet-based or other  
30 electronic system to process or facilitate the processing of any or all  
31 of the following: application for and issuance of firearms purchaser  
32 identification cards, permits to purchase a handgun, or other permits  
33 authorized under this chapter.

34 e. Any record reported or produced pursuant to this section  
35 shall not be considered a public record or government record  
36 pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.) or P.L.2001, c.404  
37 (C.47:1A-5 et al.).

38  
39 6. This act shall take effect immediately.  
40  
41

42 STATEMENT  
43

44 This bill regulates the sale of handgun ammunition. Under  
45 current law, handgun ammunition is regulated to the extent that a  
46 purchaser is to establish his or her eligibility by exhibiting a  
47 firearms purchaser identification card, a permit to purchase a  
48 handgun, or a permit to carry a handgun, and that he or she is 21



1 years of age or older. This bill requires an ammunition purchaser to  
2 also exhibit a driver's license, nondriver identification card, or other  
3 government-issued form of photo identification at the time of  
4 purchase.

5 The bill requires a manufacturer or dealer of handgun  
6 ammunition to keep a detailed, electronic record of handgun  
7 ammunition sales. The electronic record maintained by the  
8 manufacturer or wholesale dealer is required to contain the date of  
9 the transaction; the type, caliber, or gauge of the ammunition; the  
10 quantity of ammunition sold; the name and address of the  
11 purchaser; and any other information deemed necessary by the  
12 Superintendent of State Police. The electronic record maintained  
13 by the retail dealer is required to contain the name of the  
14 manufacturer, the date of the transaction, the type, caliber, or gauge  
15 of the ammunition; the quantity of the ammunition sold; the name,  
16 address, and date of birth of the purchaser; the identification used to  
17 establish the identity of the purchaser; and any other information  
18 deemed necessary by the superintendent. A manufacturer or dealer  
19 that is unable to maintain record in an electronic form is to be given  
20 12 months from the effective date of this bill to establish a system  
21 for maintaining electronic records of the transfer of handgun  
22 ammunition. The electronic records are required to be made  
23 available for inspection at all reasonable hours by any law  
24 enforcement officer.

25 In addition, the bill requires electronic reporting of handgun,  
26 firearm, and handgun ammunition sales. Under the bill, every retail  
27 dealer is required to electronically report firearm, handgun, and  
28 handgun ammunition sales and transfers to the superintendent. The  
29 superintendent would be required to develop a program for retail  
30 dealers to electronically report this information. Regarding  
31 handgun ammunition, the reported information is to include the date  
32 of the transaction; the name of the manufacturer, the caliber or  
33 gauge, and the quantity of ammunition sold or transferred; the  
34 name, address, and date of birth of the purchaser; the identification  
35 used to establish the identity of the purchaser; and any other  
36 information that the superintendent requires. A retail dealer of  
37 handgun ammunition may charge a fee not to exceed \$5 for a  
38 transaction that is required to be electronically reported.