

SENATE, No. 1874

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 24, 2020

Sponsored by:
Senator JOSEPH A. LAGANA
District 38 (Bergen and Passaic)

SYNOPSIS

Requires applicant for certain firearm permits and identification cards to sign document acknowledging risk associated with having firearm in home.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning firearms and amending N.J.S.2C:58-3 and
2 N.J.S.2C:58-4.

3

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

6

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

8 2C:58-3. a. Permit to purchase a handgun.

9 (1) **【No】** A person shall not sell, give, transfer, assign or
10 otherwise dispose of, **【nor】** or receive, purchase, or otherwise
11 acquire a handgun unless the purchaser, assignee, donee, receiver or
12 holder is licensed as a dealer under this chapter or has first secured
13 a permit to purchase a handgun as provided by this section.

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

18 The provisions of this paragraph shall not apply if the transaction
19 is:

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

22 (b) between law enforcement officers;

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

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

30 (3) Prior to a transaction conducted pursuant to this subsection,
31 the retail dealer shall complete a National Instant Criminal
32 Background Check of the person acquiring the handgun. In
33 addition:

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

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

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

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

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 b. Firearms purchaser identification card.

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

20 (2) A person who is not a licensed retail dealer and sells, gives,
21 transfers, assigns, or otherwise disposes of, or receives, purchases
22 or otherwise acquires an antique cannon or a rifle or shotgun
23 pursuant to this section shall conduct the transaction through a
24 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) and 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 an antique cannon or a
40 rifle or shotgun. In 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 section which shall be maintained at the
46 address set forth on the retail dealer's license for inspection by a law
47 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 c. Who may obtain. **[No]** A person of good character and
7 good repute in the community in which **[he]** the person lives, and
8 who is not subject to any of the disabilities set forth in this section
9 or other sections of this chapter, shall not be denied a permit to
10 purchase a handgun or a firearms purchaser identification card,
11 except as hereinafter set forth. No handgun purchase permit or
12 firearms purchaser identification card shall be issued:

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

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

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

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

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

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

41 (7) To any person who as a juvenile was adjudicated delinquent
42 for an offense which, if committed by an adult, would constitute a
43 crime and the offense involved the unlawful use or possession of a
44 weapon, explosive or destructive device or is enumerated in
45 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]** the person resides if **[he]** the person is a resident of
20 New Jersey or in the Superior Court of the county in which **[his]**
21 the person's application was filed if **[he]** the person is a
22 nonresident. The request for a hearing shall be made in writing
23 within 30 days of the denial of the application for a permit or
24 identification card. The applicant shall serve a copy of **[his]** this
25 request for a hearing upon the chief of police of the municipality in
26 which **[he]** the person resides, if **[he]** the person is a resident of
27 New Jersey, and upon the superintendent in all cases. The hearing
28 shall be held and a record made thereof within 30 days of the
29 receipt of the application for a hearing by the judge of the Superior
30 Court. **[No]** A formal pleading and **[no]** filing fee shall not be
31 required as a preliminary to a hearing. Appeals from the results of a
32 hearing shall be in accordance with law.

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

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

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

28 At the time a person receives an application, the superintendent,
29 the chief police officer, or a licensed retail dealer shall provide that
30 person with the following written statement: "Warning: The
31 presence of a firearm in the home is associated with an increased
32 risk of death to self and others, including an increased risk of
33 suicide, death during domestic violence incidents, and unintentional
34 deaths of children and others. By submitting an application, I
35 acknowledge these increased risks due to the presence of a firearm
36 in my home."

37 The chief police officer or the superintendent shall obtain the
38 fingerprints of the applicant and shall have them compared with any
39 and all records of fingerprints in the municipality and county in
40 which the applicant resides and also the records of the State Bureau
41 of Identification and the Federal Bureau of Investigation, provided
42 that an applicant for a handgun purchase permit who possesses a
43 valid firearms purchaser identification card, or who has previously
44 obtained a handgun purchase permit from the same licensing
45 authority for which **[he]** the person was previously fingerprinted,
46 and who provides other reasonably satisfactory proof of **[his]** the
47 person's identity, need not be fingerprinted again; however, the

1 chief police officer or the superintendent shall proceed to
2 investigate the application to determine whether or not the applicant
3 has become subject to any of the disabilities set forth in this
4 chapter.

5 f. Granting of permit or identification card; fee; term; renewal;
6 revocation. The application for the permit to purchase a handgun
7 together with a fee of \$2, or the application for the firearms
8 purchaser identification card together with a fee of \$5, shall be
9 delivered or forwarded, with the applicant's signature on the written
10 statement required pursuant to subsection e. of this section
11 acknowledging the risks associated with the presence of a firearm in
12 a home, to the licensing authority who shall investigate the same
13 and, unless good cause for the denial thereof appears, shall grant the
14 permit or the identification card, or both, if application has been
15 made therefor, within 30 days from the date of receipt of the
16 application for residents of this State and within 45 days for
17 nonresident applicants. A permit to purchase a handgun shall be
18 valid for a period of 90 days from the date of issuance and may be
19 renewed by the issuing authority for good cause for an additional 90
20 days. A firearms purchaser identification card shall be valid until
21 such time as the holder becomes subject to any of the disabilities set
22 forth in subsection c. of this section, whereupon the card shall be
23 void and shall be returned within five days by the holder to the
24 superintendent, who shall then advise the licensing authority.
25 Failure of the holder to return the firearms purchaser identification
26 card to the superintendent within the five days shall be an offense
27 under subsection a. of N.J.S.2C:39-10. Any firearms purchaser
28 identification card may be revoked by the Superior Court of the
29 county wherein the card was issued, after hearing upon notice, upon
30 a finding that the holder thereof no longer qualifies for the issuance
31 of the permit. The county prosecutor of any county, the chief police
32 officer of any municipality or any citizen may apply to the court at
33 any time for the revocation of the card.

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

38 g. Disposition of fees. All fees for permits shall be paid to the
39 **【State】** Department of the Treasury if the permit is issued by the
40 superintendent, to the municipality if issued by the chief of police,
41 and to the county treasurer if issued by the judge of the Superior
42 Court.

43 h. Form of permit; quadruplicate; disposition of copies. The
44 permit shall be in the form prescribed by the superintendent and
45 shall be issued to the applicant in quadruplicate. Prior to the time
46 **【he】** the applicant receives the handgun from the seller, the
47 applicant shall deliver to the seller the permit in quadruplicate and
48 the seller shall complete all of the information required on the form.

1 Within five days of the date of the sale, the seller shall forward the
2 original copy to the superintendent and the second copy to the chief
3 of police of the municipality in which the purchaser resides, except
4 that in a municipality having no chief of police, the copy shall be
5 forwarded to the superintendent. The third copy shall then be
6 returned to the purchaser with the pistol or revolver and the fourth
7 copy shall be kept by the seller as a permanent record.

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

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

15 (2) a collector of handguns as curios or relics as defined in Title
16 18, United States Code, section 921 (a) (13) who **【has in his**
17 **possession】** possesses a valid Collector of Curios and Relics
18 License issued by the federal Bureau of Alcohol, Tobacco, Firearms
19 and Explosives;

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

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

24 (5) any transaction where the person has purchased a handgun
25 from a licensed retail dealer and has returned that handgun to the
26 dealer in exchange for another handgun within 30 days of the
27 original transaction, provided the retail dealer reports the exchange
28 transaction to the superintendent; or

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

32 The provisions of this subsection shall not be construed to afford
33 or authorize any other exemption from the regulatory provisions
34 governing firearms set forth in chapter 39 and chapter 58 of Title
35 2C of the New Jersey Statutes;

36 A person shall not be restricted as to the number of rifles or
37 shotguns **【he】** the person may purchase, provided **【he】** the person
38 possesses a valid firearms purchaser identification card and
39 provided further that **【he】** the person signs the certification required
40 in subsection b. of this section for each transaction.

41 j. Firearms passing to heirs or legatees. Notwithstanding any
42 other provision of this section concerning the transfer, receipt or
43 acquisition of a firearm, a permit to purchase or a firearms
44 purchaser identification card shall not be required for the passing of
45 a firearm upon the death of an owner thereof to **【his】** the owner's
46 heir or legatee, whether the same be by testamentary bequest or by
47 the laws of intestacy. The person who shall **【so】** receive, or acquire

1 the firearm shall, however, be subject to all other provisions of this
2 chapter. If the heir or legatee of the firearm does not qualify to
3 possess or carry it, **[he]** the heir or legatee may retain ownership of
4 the firearm for the purpose of sale for a period not exceeding 180
5 days, or for a further limited period as may be approved by the chief
6 law enforcement officer of the municipality in which the heir or
7 legatee resides or the superintendent, provided that the firearm is in
8 the custody of the chief law enforcement officer of the municipality
9 or the superintendent during that period.

10 k. Sawed-off shotguns. Nothing in this section shall be
11 construed to authorize the purchase or possession of any sawed-off
12 shotgun.

13 l. Nothing in this section and in N.J.S.2C:58-2 shall apply to
14 the sale or purchase of a visual distress **[signalling]** signaling
15 device approved by the United States Coast Guard, solely for
16 possession on a private or commercial aircraft or any boat;
17 provided, however, that **[no]** a person under the age of 18 years
18 shall not purchase **[nor shall any]** , and a person shall not sell to a
19 person under the age of 18 years, a visual distress **[signalling]**
20 signaling device.

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

28 n. For the purposes of this section, "immediate family" means a
29 spouse, domestic partner as defined in section 3 of P.L.2003, c.246
30 (C.26:8A-3), partner in a civil union couple as defined in section 2
31 of P.L.2006, c.103 (C.37:1-29), parent, stepparent, grandparent,
32 sibling, stepsibling, child, stepchild, and grandchild, as related by
33 blood or by law.
34 (cf: P.L.2018, c.36, s.1)
35

36 2. N.J.S.2C:58-4 is amended to read as follows:

37 2C:58-4. a. Scope and duration of authority. Any person who
38 holds a valid permit to carry a handgun issued pursuant to this
39 section shall be authorized to carry a handgun in all parts of this
40 State, except as prohibited by subsection e. of N.J.S.2C:39-5. One
41 permit shall be sufficient for all handguns owned by the holder
42 thereof, but the permit shall apply only to a handgun carried by the
43 actual and legal holder of the permit.

44 All permits to carry handguns shall expire two years from the
45 date of issuance or, in the case of an employee of an armored car
46 company, upon termination of **[his]** the person's employment by
47 the company occurring prior thereto whichever is earlier in time,

1 and they may thereafter be renewed every two years in the same
2 manner and subject to the same conditions as in the case of original
3 applications.

4 b. Application forms. All applications for permits to carry
5 handguns, and all applications for renewal of permits, shall be made
6 on the forms prescribed by the superintendent. Each application
7 shall set forth the full name, date of birth, sex, residence,
8 occupation, place of business or employment, and physical
9 description of the applicant, and any other information the
10 superintendent may prescribe for the determination of the
11 applicant's eligibility for a permit and for the proper enforcement of
12 this chapter. The application shall be signed by the applicant under
13 oath, and shall be indorsed by three reputable persons who have
14 known the applicant for at least three years preceding the date of
15 application, and who shall certify thereon that the applicant is a
16 person of good moral character and behavior.

17 c. Investigation and approval. Each application shall in the
18 first instance be submitted to the chief police officer of the
19 municipality in which the applicant resides, or to the
20 superintendent, (1) if the applicant is an employee of an armored
21 car company, or (2) if there is no chief police officer in the
22 municipality where the applicant resides, or (3) if the applicant does
23 not reside in this State.

24 At the time a person submits an application, the chief police
25 officer or the superintendent shall provide the applicant with the
26 following written statement: "Warning: The presence of a handgun
27 in the home is associated with an increased risk of death to self and
28 others, including an increased risk of suicide, death during domestic
29 violence incidents, and unintentional deaths of children and others.
30 By submitting an application, I acknowledge these increased risks
31 due to the presence of a handgun in my home."

32 The chief police officer, or the superintendent, as the case may
33 be, shall cause the fingerprints of the applicant to be taken and
34 compared with any and all records maintained by the municipality,
35 the county in which it is located, the State Bureau of Identification
36 and the Federal Bureau of **Identification** Investigation. **He** The
37 chief police officer, or the superintendent, as the case may be, shall
38 also determine and record a complete description of each handgun
39 the applicant intends to carry.

40 **No** An application shall not be approved by the chief police
41 officer or the superintendent unless the applicant demonstrates that
42 **he** the applicant is not subject to any of the disabilities set forth
43 in subsection c. of N.J.S.2C:58-3, that **he** the applicant is
44 thoroughly familiar with the safe handling and use of handguns, that
45 the applicant acknowledges the risks associated with the presence of
46 a handgun in the home by signing the written statement required

1 pursuant to subsection c. of this section, and that **【he】** the applicant
2 has a justifiable need to carry a handgun.

3 Each application form shall be accompanied by a written
4 certification of justifiable need to carry a handgun, which shall be
5 under oath and, in the case of a private citizen, shall specify in
6 detail the urgent necessity for self-protection, as evidenced by
7 specific threats or previous attacks which demonstrate a special
8 danger to the applicant's life that cannot be avoided by means other
9 than by issuance of a permit to carry a handgun. Where possible,
10 the applicant shall corroborate the existence of any specific threats
11 or previous attacks by reference to reports of the incidents to the
12 appropriate law enforcement agencies.

13 If the application is not approved by the chief police officer or
14 the superintendent within 60 days of filing, it shall be deemed to
15 have been approved, unless the applicant agrees to an extension of
16 time in writing.

17 d. Issuance by Superior Court; fee. If the application has been
18 approved by the chief police officer or the superintendent, as the
19 case may be, the applicant shall forthwith present it to the Superior
20 Court of the county in which the applicant resides, or to the
21 Superior Court in any county where **【he】** the applicant intends to
22 carry a handgun, in the case of a nonresident or employee of an
23 armored car company. The court shall issue the permit to the
24 applicant if, but only if, it is satisfied that the applicant is a person
25 of good character who is not subject to any of the disabilities set
26 forth in subsection c. of N.J.S.2C:58-3, that **【he】** the applicant is
27 thoroughly familiar with the safe handling and use of handguns, that
28 the applicant acknowledges the risks associated with the presence of
29 a handgun in the home by signing the written statement required
30 pursuant to subsection c. of this section, and that **【he】** the applicant
31 has a justifiable need to carry a handgun in accordance with the
32 provisions of subsection c. of this section. The court may at its
33 discretion issue a limited-type permit which would restrict the
34 applicant as to the types of handguns **【he】** the person may carry and
35 where and for what purposes the handguns may be carried. At the
36 time of issuance, the applicant shall pay to the county clerk of the
37 county where the permit was issued a permit fee of \$20.

38 e. Appeals from denial of applications. Any person aggrieved
39 by the denial by the chief police officer or the superintendent of
40 approval for a permit to carry a handgun may request a hearing in
41 the Superior Court of the county in which **【he】** the person resides
42 or in any county in which **【he】** the person intends to carry a
43 handgun, in the case of a nonresident, by filing a written request for
44 a hearing within 30 days of the denial. Copies of the request shall
45 be served upon the superintendent, the county prosecutor, and the
46 chief police officer of the municipality where the applicant resides,
47 if **【he】** the person is a resident of this State. The hearing shall be

1 held within 30 days of the filing of the request, and **no** a formal
2 pleading **or** and filing fee shall not be required. Appeals from the
3 determination at the hearing shall be in accordance with law and the
4 rules governing the courts of this State.

5 If the superintendent or chief police officer approves an
6 application and the Superior Court denies the application and
7 refuses to issue a permit, the applicant may appeal the denial in
8 accordance with law and the rules governing the courts of this State.

9 f. Revocation of permits. Any permit issued under this section
10 shall be void at the time the holder thereof becomes subject to any
11 of the disabilities set forth in subsection c. of N.J.S.2C:58-3, and
12 the holder of a void permit shall immediately surrender the permit
13 to the superintendent who shall give notice to the licensing
14 authority.

15 Any permit may be revoked by the Superior Court, after hearing
16 upon notice to the holder, if the court finds that the holder is no
17 longer qualified for the issuance of a permit. The county prosecutor
18 of any county, the chief police officer of any municipality, the
19 superintendent, or any citizen may apply to the court at any time for
20 the revocation of any permit issued pursuant to this section.

21 (cf: P.L.2018, c.37, s.1)

22
23 3. This act shall take effect immediately.

24 25 26 STATEMENT

27
28 This bill requires an applicant for a firearm purchaser
29 identification card, permit to purchase a handgun, or permit to carry
30 a handgun to sign a written statement acknowledging the risks
31 associated with firearm possession. The written disclosure would
32 state:

33 “Warning: The presence of a firearm in
34 the home is associated with an
35 increased risk of death to self and
36 others, including an increased risk of
37 suicide, death during domestic
38 violence incidents, and unintentional
39 deaths of children and others. By
40 submitting an application, I
41 acknowledge these increased risks due
42 to the presence of a firearm in my
43 home.”

44
45 Under the bill, the Superintendent of State Police, the chief of
46 police, or a licensed retail dealer is required to provide the written
47 statement when a person receives an application for a firearms
48 purchaser identification card or permit to purchase a handgun. The

1 chief of police or the superintendent also would provide this written
2 statement when a person applies for or renews a permit to carry a
3 handgun. The bill requires the applicant to acknowledge the risks
4 associated with the presence of a handgun in the home by signing
5 the statement.