

**ASSEMBLY, No. 632**

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**STATE OF NEW JERSEY**

**213th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

**Sponsored by:**

**Assemblywoman PAMELA R. LAMPITT**

**District 6 (Camden)**

**Assemblywoman BONNIE WATSON COLEMAN**

**District 15 (Mercer)**

**Co-Sponsored by:**

**Assemblyman Greenwald, Assemblywoman Cruz-Perez, Assemblymen  
Ramos and Coutinho**

**SYNOPSIS**

Increases firearm permit and license fees.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



**(Sponsorship Updated As Of: 5/6/2008)**

1 AN ACT concerning firearms and amending N.J.S.2C:58-1,  
2 N.J.S.2C:58-2, N.J.S.2C:58-3 and 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:58-1 is amended to read as follows:

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

13 Applications for registration shall be made on such forms as  
14 shall be prescribed by the superintendent, and the applicant shall  
15 furnish such information and other particulars as may be prescribed  
16 by law or by any rules or regulations promulgated by the  
17 superintendent. Each application for registration or renewal shall  
18 be accompanied by a fee of ~~[\$150.00]~~ \$500. Each registration  
19 shall be valid for a period of three years from the date of issuance.  
20 The superintendent shall annually review the established fee and, if  
21 appropriate, adjust the fee to offset any cost increases associated  
22 with administering the application process set forth in this  
23 subsection. The fee shall not exceed the actual cost incurred by the  
24 issuing authority to process applications for firearm manufacturer or  
25 wholesale registrations.

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

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

36 b. Wholesale dealer's agent. Every registered wholesale dealer  
37 of firearms shall cause each of his agents or employees actively  
38 engaged in the purchase or sale of firearms to be licensed with the  
39 superintendent as a wholesale dealer's agent. Applications for  
40 agents' licenses shall be submitted on such forms as shall be  
41 prescribed by the superintendent, and shall be signed by the  
42 registered wholesale dealer and by the agent. Each application shall  
43 be accompanied by a fee of ~~[\$5.00]~~ \$5, and each license shall be  
44 valid for so long as the agent or employee remains in the employ of

**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 the wholesale dealer and the wholesale dealer remains validly  
2 registered under this section. The superintendent shall prescribe  
3 standards and qualifications for licensed wholesale dealers' agents,  
4 for the protection of the public safety, health and welfare.

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

14 d. Appeals. Any person aggrieved by the refusal of the  
15 superintendent to register him as a manufacturer or wholesale  
16 dealer or a wholesale dealer's agent, or by revocation of his  
17 certificate or license, may appeal to the Appellate Division of the  
18 Superior Court.

19 e. Records of sales. Every manufacturer and wholesale dealer  
20 shall keep a detailed record of each firearm sold by him. The  
21 record shall include the date of sale, the name and address of the  
22 purchaser, a description of each firearm and the serial number  
23 thereof. The records shall be available for inspection at all  
24 reasonable times by any law enforcement officer.

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

26

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

28 2C:58-2 a. Licensing of retail dealers and their employees. No  
29 retail dealer of firearms nor any employee of a retail dealer shall  
30 sell or expose for sale, or possess with the intent of selling, any  
31 firearm unless licensed to do so as hereinafter provided. The  
32 superintendent shall prescribe standards and qualifications for retail  
33 dealers of firearms and their employees for the protection of the  
34 public safety, health and welfare.

35 Applications shall be made in the form prescribed by the  
36 superintendent, accompanied by a fee of ~~【\$50.00】~~ \$200 payable to  
37 the superintendent, and shall be made to a judge of the Superior  
38 Court in the county where the applicant maintains his place of  
39 business. The judge shall grant a license to an applicant if he finds  
40 that the applicant meets the standards and qualifications established  
41 by the superintendent and that the applicant can be permitted to  
42 engage in business as a retail dealer of firearms or employee thereof  
43 without any danger to the public safety, health and welfare. Each  
44 license shall be valid for a period of three years from the date of  
45 issuance, and shall authorize the holder to sell firearms at retail in a  
46 specified municipality. The superintendent shall annually review  
47 the established fee and, if appropriate, adjust the fee to offset any

1 cost increases associated with administering the application process  
2 set forth in this subsection. The fee shall not exceed the actual cost  
3 incurred by the issuing authority to process applications for retail  
4 dealer licenses.

5 In addition, every retail dealer shall pay a fee of ~~【\$5.00】~~ \$5 for  
6 each employee actively engaged in the sale or purchase of firearms.  
7 The superintendent shall issue a license for each employee for  
8 whom said fee has been paid, which license shall be valid for so  
9 long as 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 The handgun is unloaded and securely wrapped;

1 (d) Except as otherwise provided in subparagraph (e) of this  
2 paragraph, the handgun is accompanied by a trigger lock or a locked  
3 case, gun box, container or other secure facility; provided, however,  
4 this provision shall not apply to antique handguns. The exemption  
5 afforded under this subparagraph for antique handguns shall be  
6 narrowly construed, limited solely to the requirements set forth  
7 herein and shall not be deemed to afford or authorize any other  
8 exemption from the regulatory provisions governing firearms set  
9 forth in chapter 39 and chapter 58 of Title 2C of the New Jersey  
10 Statutes; and

11 (e) On and after the first day of the sixth month following the  
12 date on which the list of personalized handguns is prepared and  
13 delivered pursuant to section 3 of P.L.2002, c.130 (C.2C:58-2.4),  
14 the handgun is identified as a personalized handgun and included on  
15 that list or is an antique handgun. The provisions of subparagraph  
16 (d) of this section shall not apply to the delivery of a personalized  
17 handgun.

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

23 b. Records. Every person engaged in the retail business of  
24 selling, leasing or otherwise transferring a handgun, as a retail  
25 dealer or otherwise, shall keep a register in which shall be entered  
26 the time of the sale, lease or other transfer, the date thereof, the  
27 name, age, date of birth, complexion, occupation, residence and a  
28 physical description including distinguishing physical  
29 characteristics, if any, of the purchaser, lessee or transferee, the  
30 name and permanent home address of the person making the sale,  
31 lease or transfer, the place of the transaction, and the make, model,  
32 manufacturer's number, caliber and other marks of identification on  
33 such handgun and such other information as the superintendent  
34 shall deem necessary for the proper enforcement of this chapter.  
35 The register shall be retained by the dealer and shall be made  
36 available at all reasonable hours for inspection by any law  
37 enforcement officer.

38 c. Forms of register. The superintendent shall prepare the form  
39 of the register as described in subsection b. of this section and  
40 furnish the same in triplicate to each person licensed to be engaged  
41 in the business of selling, leasing or otherwise transferring firearms.

42 d. Signatures in register. The purchaser, lessee or transferee of  
43 any handgun shall sign, and the dealer shall require him to sign his  
44 name to the register, in triplicate, and the person making the sale,  
45 lease or transfer shall affix his name, in triplicate, as a witness to  
46 the signature. The signatures shall constitute a representation of the  
47 accuracy of the information contained in the register.

1 e. Copies of register entries; delivery to chief of police or  
2 county clerk. Within five days of the date of the sale, assignment or  
3 transfer, the dealer shall deliver or mail by certified mail, return  
4 receipt requested, legible copies of the register forms to the office  
5 of the chief of police of the municipality in which the purchaser  
6 resides, or to the office of the captain of the precinct of the  
7 municipality in which the purchaser resides, and to the  
8 superintendent. If hand delivered a receipt shall be given to the  
9 dealer therefor.

10 Where a sale, assignment or transfer is made to a purchaser who  
11 resides in a municipality having no chief of police, the dealer shall,  
12 within five days of the transaction, mail a duplicate copy of the  
13 register sheet to the clerk of the county within which the purchaser  
14 resides.

15 (cf: P.L.2002, c.130 s.6)

16

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

18 2C:58-3. Purchase of Firearms.

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

25 b. Firearms purchaser identification card. No person shall sell,  
26 give, transfer, assign or otherwise dispose of nor receive, purchase  
27 or otherwise acquire an antique cannon or a rifle or shotgun, other  
28 than an antique rifle or shotgun, unless the purchaser, assignee,  
29 donee, receiver or holder is licensed as a dealer under this chapter  
30 or possesses a valid firearms purchaser identification card, and first  
31 exhibits said card to the seller, donor, transferor or assignor, and  
32 unless the purchaser, assignee, donee, receiver or holder signs a  
33 written certification, on a form prescribed by the superintendent,  
34 which shall indicate that he presently complies with the  
35 requirements of subsection c. of this section and shall contain his  
36 name, address and firearms purchaser identification card number or  
37 dealer's registration number. The said certification shall be retained  
38 by the seller, as provided in section 2C:58-2a., or, in the case of a  
39 person who is not a dealer, it may be filed with the chief of police  
40 of the municipality in which he resides or with the superintendent.

41 c. Who may obtain. No person of good character and good  
42 repute in the community in which he lives, and who is not subject to  
43 any of the disabilities set forth in this section or other sections of  
44 this chapter, shall be denied a permit to purchase a handgun or a  
45 firearms purchaser identification card, except as hereinafter set  
46 forth. No handgun purchase permit or firearms purchaser  
47 identification card shall be issued:

- 1 (1) To any person who has been convicted of any crime, or a  
2 disorderly persons offense involving an act of domestic violence as  
3 defined in section 3 of P.L.1991,c.261(C.2C:25-19), whether or not  
4 armed with or possessing a weapon at the time of such offense;
  - 5 (2) To any drug dependent person as defined in section 2 of  
6 P.L.1970, c.226 (C.24:21-2), to any person who is confined for a  
7 mental disorder to a hospital, mental institution or sanitarium, or to  
8 any person who is presently an habitual drunkard;
  - 9 (3) To any person who suffers from a physical defect or disease  
10 which would make it unsafe for him to handle firearms, to any  
11 person who has ever been confined for a mental disorder, or to any  
12 alcoholic unless any of the foregoing persons produces a certificate  
13 of a medical doctor or psychiatrist licensed in New Jersey, or other  
14 satisfactory proof, that he is no longer suffering from that particular  
15 disability in such a manner that would interfere with or handicap  
16 him in the handling of firearms; to any person who knowingly  
17 falsifies any information on the application form for a handgun  
18 purchase permit or firearms purchaser identification card;
  - 19 (4) To any person under the age of 18 years for a firearms  
20 purchaser identification card and to any person under the age of 21  
21 years for a permit to purchase a handgun;
  - 22 (5) To any person where the issuance would not be in the  
23 interest of the public health, safety or welfare;
  - 24 (6) To any person who is subject to a restraining order issued  
25 pursuant to the "Prevention of Domestic Violence Act of 1991,"  
26 P.L.1991, c.261 (C.2C:25-17 et seq.) prohibiting the person from  
27 possessing any firearm;
  - 28 (7) To any person who as a juvenile was adjudicated delinquent  
29 for an offense which, if committed by an adult, would constitute a  
30 crime and the offense involved the unlawful use or possession of a  
31 weapon, explosive or destructive device or is enumerated in  
32 subsection d. of section 2 of P.L.1997, c.117 (C:2C:43-7.2); or
  - 33 (8) To any person whose firearm is seized pursuant to the  
34 "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261  
35 (C.2C:25-17 et seq.) and whose firearm has not been returned.
- 36 d. Issuance. The chief of police of an organized full-time  
37 police department of the municipality where the applicant resides or  
38 the superintendent, in all other cases, shall upon application, issue  
39 to any person qualified under the provisions of subsection c. of this  
40 section a permit to purchase a handgun or a firearms purchaser  
41 identification card.
- 42 Any person aggrieved by the denial of a permit or identification  
43 card may request a hearing in the Superior Court of the county in  
44 which he resides if he is a resident of New Jersey or in the Superior  
45 Court of the county in which his application was filed if he is a  
46 nonresident. The request for a hearing shall be made in writing  
47 within 30 days of the denial of the application for a permit or

1 identification card. The applicant shall serve a copy of his request  
2 for a hearing upon the chief of police of the municipality in which  
3 he resides, if he is a resident of New Jersey, and upon the  
4 superintendent in all cases. The hearing shall be held and a record  
5 made thereof within 30 days of the receipt of the application for  
6 such hearing by the judge of the Superior Court. No formal  
7 pleading and no filing fee shall be required as a preliminary to such  
8 hearing. Appeals from the results of such hearing shall be in  
9 accordance with law.

10 e. Applications. Applications for permits to purchase a  
11 handgun and for firearms purchaser identification cards shall be in  
12 the form prescribed by the superintendent and shall set forth the  
13 name, residence, place of business, age, date of birth, occupation,  
14 sex and physical description, including distinguishing physical  
15 characteristics, if any, of the applicant, and shall state whether the  
16 applicant is a citizen, whether he is an alcoholic, habitual drunkard,  
17 drug dependent person as defined in section 2 of P.L.1970, c.226  
18 (C.24:21-2), whether he has ever been confined or committed to a  
19 mental institution or hospital for treatment or observation of a  
20 mental or psychiatric condition on a temporary, interim or  
21 permanent basis, giving the name and location of the institution or  
22 hospital and the dates of such confinement or commitment, whether  
23 he has been attended, treated or observed by any doctor or  
24 psychiatrist or at any hospital or mental institution on an inpatient  
25 or outpatient basis for any mental or psychiatric condition, giving  
26 the name and location of the doctor, psychiatrist, hospital or  
27 institution and the dates of such occurrence, whether he presently or  
28 ever has been a member of any organization which advocates or  
29 approves the commission of acts of force and violence to overthrow  
30 the Government of the United States or of this State, or which seeks  
31 to deny others their rights under the Constitution of either the  
32 United States or the State of New Jersey, whether he has ever been  
33 convicted of a crime or disorderly persons offense, whether the  
34 person is subject to a restraining order issued pursuant to the  
35 "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261  
36 (C.2C:25-17 et. seq.) prohibiting the person from possessing any  
37 firearm, and such other information as the superintendent shall  
38 deem necessary for the proper enforcement of this chapter. For the  
39 purpose of complying with this subsection, the applicant shall  
40 waive any statutory or other right of confidentiality relating to  
41 institutional confinement. The application shall be signed by the  
42 applicant and shall contain as references the names and addresses of  
43 two reputable citizens personally acquainted with him.

44 Application blanks shall be obtainable from the superintendent,  
45 from any other officer authorized to grant such permit or  
46 identification card, and from licensed retail dealers.

1       The chief police officer or the superintendent shall obtain the  
2 fingerprints of the applicant and shall have them compared with any  
3 and all records of fingerprints in the municipality and county in  
4 which the applicant resides and also the records of the State Bureau  
5 of Identification and the Federal Bureau of Investigation, provided  
6 that an applicant for a handgun purchase permit who possesses a  
7 valid firearms purchaser identification card, or who has previously  
8 obtained a handgun purchase permit from the same licensing  
9 authority for which he was previously fingerprinted, and who  
10 provides other reasonably satisfactory proof of his identity, need not  
11 be fingerprinted again; however, the chief police officer or the  
12 superintendent shall proceed to investigate the application to  
13 determine whether or not the applicant has become subject to any of  
14 the disabilities set forth in this chapter.

15       f. Granting of permit or identification card; fee; term; renewal;  
16 revocation. The application for the permit to purchase a handgun  
17 together with a fee of ~~[\$2.00]~~ \$10, or the application for the  
18 firearms purchaser identification card together with a fee of ~~[\$5.00]~~  
19 \$20, shall be delivered or forwarded to the licensing authority who  
20 shall investigate the same and, unless good cause for the denial  
21 thereof appears, shall grant the permit or the identification card, or  
22 both, if application has been made therefor, within 30 days from the  
23 date of receipt of the application for residents of this State and  
24 within 45 days for nonresident applicants. Duplicate identification  
25 cards may be purchased for a fee of \$10. The superintendent shall  
26 annually review the established fee and, if appropriate, adjust the  
27 fee to offset any cost increases associated with administering the  
28 application process set forth in this subsection. The fee shall not  
29 exceed the actual cost incurred by the issuing authority to process  
30 applications for a permit to purchase a handgun or for a firearms  
31 purchaser identification card or replacement card. A permit to  
32 purchase a handgun shall be valid for a period of 90 days from the  
33 date of issuance and may be renewed by the issuing authority for  
34 good cause for an additional 90 days. A firearms purchaser  
35 identification card shall be valid until such time as the holder  
36 becomes subject to any of the disabilities set forth in subsection c.  
37 of this section, whereupon the card shall be void and shall be  
38 returned within five days by the holder to the superintendent, who  
39 shall then advise the licensing authority. Failure of the holder to  
40 return the firearms purchaser identification card to the  
41 superintendent within the said five days shall be an offense under  
42 section 2C:39-10a. Any firearms purchaser identification card may  
43 be revoked by the Superior Court of the county wherein the card  
44 was issued, after hearing upon notice, upon a finding that the holder  
45 thereof no longer qualifies for the issuance of such permit. The  
46 county prosecutor of any county, the chief police officer of any

1 municipality or any citizen may apply to such court at any time for  
2 the revocation of such card.

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

7 g. Disposition of fees. All fees for permits shall be paid to the  
8 State Treasury if the permit is issued by the superintendent, to the  
9 municipality if issued by the chief of police, and to the county  
10 treasurer if issued by the judge of the Superior Court.

11 h. Form of permit; quadruplicate; disposition of copies. The  
12 permit shall be in the form prescribed by the superintendent and  
13 shall be issued to the applicant in quadruplicate. Prior to the time  
14 he receives the handgun from the seller, the applicant shall deliver  
15 to the seller the permit in quadruplicate and the seller shall  
16 complete all of the information required on the form. Within five  
17 days of the date of the sale, the seller shall forward the original  
18 copy to the superintendent and the second copy to the chief of  
19 police of the municipality in which the purchaser resides, except  
20 that in a municipality having no chief of police, such copy shall be  
21 forwarded to the superintendent. The third copy shall then be  
22 returned to the purchaser with the pistol or revolver and the fourth  
23 copy shall be kept by the seller as a permanent record.

24 i. Restriction on number of firearms person may purchase.  
25 Only one handgun shall be purchased or delivered on each permit,  
26 but 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 said firearm  
38 shall, however, be subject to all other provisions of this chapter. If  
39 the heir or legatee of such firearm does not qualify to possess or  
40 carry it, he may retain ownership of the firearm for the purpose of  
41 sale for a period not exceeding 180 days, or for such further limited  
42 period as may be approved by the chief law enforcement officer of  
43 the municipality in which the heir or legatee resides or the  
44 superintendent, provided that such firearm is in the custody of the  
45 chief law enforcement officer of the municipality or the  
46 superintendent during such 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 such a visual distress  
10 signalling device.

11 (cf: P.L.2003, c.277, s.4)

12

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

14 a. Scope and duration of authority. Any person who holds a  
15 valid permit to carry a handgun issued pursuant to this section shall  
16 be authorized to carry a handgun in all parts of this State, except as  
17 prohibited by section 2C:39-5e. One permit shall be sufficient for  
18 all handguns owned by the holder thereof, but the permit shall apply  
19 only to a handgun carried by the actual and legal holder of the  
20 permit.

21 All permits to carry handguns shall expire 2 years from the date  
22 of issuance or, in the case of an employee of an armored car  
23 company, upon termination of his employment by the company  
24 occurring prior thereto whichever is earlier in time, and they may  
25 thereafter be renewed every 2 years in the same manner and subject  
26 to the same conditions as in the case of original applications.

27 b. Application forms. All applications for permits to carry  
28 handguns, and all applications for renewal of such permits, shall be  
29 made on the forms prescribed by the superintendent. Each  
30 application shall set forth the full name, date of birth, sex,  
31 residence, occupation, place of business or employment, and  
32 physical description of the applicant, and such other information as  
33 the superintendent may prescribe for the determination of the  
34 applicant's eligibility for a permit and for the proper enforcement of  
35 this chapter. The application shall be signed by the applicant under  
36 oath, and shall be indorsed by three reputable persons who have  
37 known the applicant for at least 3 years preceding the date of  
38 application, and who shall certify thereon that the applicant is a  
39 person of good moral character and behavior.

40 c. Investigation and approval. Each application shall in the  
41 first instance be submitted to the chief police officer of the  
42 municipality in which the applicant resides, or to the  
43 superintendent, (1) if the applicant is an employee of an armored  
44 car company, or (2) if there is no chief police officer in the  
45 municipality where the applicant resides, or (3) if the applicant does  
46 not reside in this State. The chief police officer, or the  
47 superintendent, as the case may be, shall cause the fingerprints of

1 the applicant to be taken and compared with any and all records  
2 maintained by the municipality, the county in which it is located,  
3 the State Bureau of Identification and the Federal Bureau of  
4 Identification. He shall also determine and record a complete  
5 description of each handgun the applicant intends to carry.

6 No application shall be approved by the chief police officer or  
7 the superintendent unless the applicant demonstrates that he is not  
8 subject to any of the disabilities set forth in 2C:58-3c., that he is  
9 thoroughly familiar with the safe handling and use of handguns, and  
10 that he has a justifiable need to carry a handgun. If the application  
11 is not approved by the chief police officer or the superintendent  
12 within 60 days of filing, it shall be deemed to have been approved,  
13 unless the applicant agrees to an extension of time in writing.

14 d. Issuance by Superior Court; fee. If the application has been  
15 approved by the chief police officer or the superintendent, as the  
16 case may be, the applicant shall forthwith present it to the Superior  
17 Court of the county in which the applicant resides, or to the  
18 Superior Court in any county where he intends to carry a handgun,  
19 in the case of a nonresident or employee of an armored car  
20 company. The court shall issue the permit to the applicant if, but  
21 only if, it is satisfied that the applicant is a person of good character  
22 who is not subject to any of the disabilities set forth in section  
23 2C:58-3c., that he is thoroughly familiar with the safe handling and  
24 use of handguns, and that he has a justifiable need to carry a  
25 handgun. The court may at its discretion issue a limited-type permit  
26 which would restrict the applicant as to the types of handguns he  
27 may carry and where and for what purposes such handguns may be  
28 carried. At the time of issuance, the applicant shall pay to the  
29 county clerk of the county where the permit was issued a permit fee  
30 of ~~【\$20.00】~~ \$200. The superintendent shall annually review the  
31 established fee and, if appropriate, adjust the fee to offset any cost  
32 increases associated with administering the application process set  
33 forth in this subsection. The fee shall not exceed the actual cost  
34 incurred by the issuing authority to process applications for a permit  
35 to carry a firearm.

36 e. Appeals from denial of applications. Any person aggrieved  
37 by the denial by the chief police officer or the superintendent of  
38 approval for a permit to carry a handgun may request a hearing in  
39 the Superior Court of the county in which he resides or in any  
40 county in which he intends to carry a handgun, in the case of a  
41 nonresident, by filing a written request for such a hearing within 30  
42 days of the denial. Copies of the request shall be served upon the  
43 superintendent, the county prosecutor and the chief police officer of  
44 the municipality where the applicant resides, if he is a resident of  
45 this State. The hearing shall be held within 30 days of the filing of  
46 the request, and no formal pleading or filing fee shall be required.

1 Appeals from the determination at such a hearing shall be in  
2 accordance with law and the rules governing the courts of this State.

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

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

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

19 (cf: P.L.1981, c.135, s.1)

20

21 5. This act shall take effect immediately.

22

23

24

#### STATEMENT

25

26 This bill amends N.J.S.2C:58-1, N.J.S.2C:58-2, N.J.S.2C:58-3  
27 and N.J.S.2C:58-4 to increase fees for firearms retail dealer  
28 licenses, manufacture licenses, wholesale licenses, firearms permit  
29 fees, and identification cards. This bill also establishes a new fee  
30 for duplicate firearm purchaser identification cards. In addition, the  
31 bill authorizes the Superintendent of State Police to annually review  
32 the set fees and, if appropriate, adjust fees to offset the actual  
33 expense of providing the service.

34 The registration fee for a firearms manufacture and wholesaler  
35 license would increase to \$500 from \$150 and for a firearms retail  
36 license fee would be \$200, up from \$50. These licenses would be  
37 valid for three years.

38 The current fees for a permit to purchase a handgun, a firearms  
39 purchaser identification card or a permit to carry a firearm are \$2,  
40 \$5 and \$20, respectively. The new fees would be \$10, \$20 and  
41 \$200, respectively.

42 Additionally, this bill includes a new \$10 fee for duplicate  
43 identification cards. Currently, there is no fee to acquire a duplicate  
44 identification card.

45 According to an audit completed in 1996 by the State Auditor,  
46 these fees were last adjusted in 1968 and do not accurately reflect  
47 the cost to the State and local police to provide this service. The

- 1 audit included a recommendation that the division upgrade the
- 2 current fee structure to bring it in line with actual costs.