ASSEMBLY, No. 2490

STATE OF NEW JERSEY
213th LEGISLATURE

INTRODUCED MARCH 10, 2008

Sponsored by:
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Assemblyman HERB CONAWAY, JR.
District 7 (Burlington and Camden)
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District 35 (Bergen and Passaic)

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Assemblywoman Spencer, Assemblymen Green, P. Barnes, III,
Assemblywomen Lampitt, Greenstein, Assemblymen Johnson and L.Smith

SYNOPSIS
Requires handgun ammunition to be encoded with serial number.

CURRENT VERSION OF TEXT
As introduced
AN ACT concerning handgun ammunition and supplementing
chapter 58 of Title 2C of the New Jersey Statutes.

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

1. a. A manufacturer or licensed wholesale dealer of handgun
ammunition shall not knowingly transport into this State, nor shall
any licensed wholesale or retail dealer knowingly sell, expose for
sale, possess with the intent of selling, assign or otherwise transfer
any handgun ammunition manufactured after the effective date of
this act unless that handgun ammunition is encoded as follows:
(1) the base of the bullet and the inside of the cartridge casing of
each round in a box of ammunition are encoded with the same serial
number;
(2) each serial number is engraved in such a manner that it is
highly likely to permit identification after ammunition discharge
and bullet impact; and
(3) the outside of each box of ammunition is labeled with the
name of the manufacturer and the same serial number used on the
cartridge casings and bases of bullets contained in the box.
b. Ammunition contained in one ammunition box may not be
labeled with the same serial number as the ammunition contained in
any other ammunition box from the same manufacturer.
c. A person who violates any provision of this section shall be
guilty of a crime of the fourth degree.

2. Any person who possesses commercially purchased handgun
ammunition that is not encoded by the manufacturer as required in
section 1 of this act on or after the first day of the thirteenth month
following the effective date of this act is guilty of a disorderly
persons offense.

3. a. The Superintendent of State Police shall establish and
maintain an encoded handgun ammunition database.
b. A licensed retail dealer of encoded handgun ammunition shall
provide the superintendent with the following information to be
included in the database:
(1) the date of each ammunition purchase;
(2) the manufacturer of the ammunition;
(3) the caliber of the ammunition;
(4) the serial numbers of all ammunition purchased;
(5) the name and date of birth of each purchaser of ammunition;
(6) the driver’s license number of the purchaser or other
appropriate identification number issued to the purchaser by the
State or federal government; and
(7) any other information the superintendent deems necessary.
c. A licensed retail dealer of encoded handgun ammunition shall maintain copies of all records submitted to the superintendent pursuant to subsection b. of this section for at least three years after the date of sale.

d. A licensed retail dealer who violates any provision of this section shall be guilty of a disorderly persons offense.

4. A person who knowingly destroys, defaces, or otherwise renders unreadable the information encoded on handgun ammunition as required in section 1 of this act shall be guilty of a crime of the fourth degree.

5. This act shall take effect on the first day of the thirteenth month following enactment, but the Superintendent of State Police may take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of this act.

STATEMENT

Under this bill, manufacturers and wholesalers of handgun ammunition could only transport their product into this State if it is encoded with a serial number. Similarly, licensed wholesalers and retailers of handgun ammunition would only be allowed to sell such encoded ammunition in this State.

Under the bill, the base of the bullet and the inside of the cartridge casing of each round in a box of ammunition must be encoded with the same serial number. The serial number must be engraved so that it is highly likely to permit identification after the ammunition has been discharged and the bullet has impacted an object. The outside of each box of ammunition also must be labeled with the name of the manufacturer and the same serial number used on the cartridge casings and bases of bullets contained in the box. The bill specifies that ammunition contained in one ammunition box may not be labeled with the same serial number as the ammunition contained in any other ammunition box from the same manufacturer.

Manufacturers, wholesalers, and retailers of handgun ammunition who transport or sell handgun ammunition that is not properly encoded with the required serial number are guilty of a crime of the fourth degree. Fourth degree crimes are punishable by a term of imprisonment of up to 18 months, a fine of up to $10,000, or both.

Any person who possesses commercially purchased handgun ammunition that is not encoded by the manufacturer as required in the bill a year after enactment is guilty of a disorderly persons offense. Disorderly persons offenses are punishable by a term of imprisonment of up to six months, a fine of up to $1,000, or both.
The bill also requires the Superintendent of State Police to establish and maintain an encoded handgun ammunition database. Licensed retail dealers who sell handgun ammunition are required to provide the superintendent with the date the ammunition was purchased; the manufacturer; the caliber; the serial number; the name and birth date of each purchaser; the driver’s license number or other appropriate State or federal identification of the purchaser; and any other information the superintendent requires. The seller also is required to maintain copies of all records submitted to the superintendent for at least three years after the sale. A seller who does not comply with these requirements is guilty of a disorderly persons offense.

Under the bill, a person who knowingly defaces or otherwise renders unreadable the information encoded on handgun ammunition is guilty of a crime of the fourth degree.