

[First Reprint]

**ASSEMBLY, No. 2761**

**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

INTRODUCED FEBRUARY 1, 2018

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**SYNOPSIS**

Reduces maximum capacity of ammunition magazines to 10 rounds; exempts firearms with .22 caliber tubular magazines from 10 round limitation.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Appropriations Committee on March 22, 2018, with amendments.

(Sponsorship Updated As Of: 3/27/2018)

1 AN ACT concerning firearms and amending N.J.S.2C:39-1 and  
2 supplementing chapter 39 of Title 2C of the New Jersey Statutes.

3

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

6

7 <sup>1</sup>[1. N.J.S.2C:39-1 is amended to read as follows:

8 2C:39-1. Definitions. The following definitions apply to this  
9 chapter and to chapter 58:

10 a. "Antique firearm" means any rifle or shotgun and "antique  
11 cannon" means a destructive device defined in paragraph (3) of  
12 subsection c. of this section, if the rifle, shotgun or destructive  
13 device, as the case may be, is incapable of being fired or  
14 discharged, or which does not fire fixed ammunition, regardless of  
15 date of manufacture, or was manufactured before 1898 for which  
16 cartridge ammunition is not commercially available, and is  
17 possessed as a curiosity or ornament or for its historical  
18 significance or value.

19 b. "Deface" means to remove, deface, cover, alter or destroy  
20 the name of the maker, model designation, manufacturer's serial  
21 number or any other distinguishing identification mark or number  
22 on any firearm.

23 c. "Destructive device" means any device, instrument or object  
24 designed to explode or produce uncontrolled combustion, including  
25 (1) any explosive or incendiary bomb, mine or grenade; (2) any  
26 rocket having a propellant charge of more than four ounces or any  
27 missile having an explosive or incendiary charge of more than one-  
28 quarter of an ounce; (3) any weapon capable of firing a projectile of  
29 a caliber greater than 60 caliber, except a shotgun or shotgun  
30 ammunition generally recognized as suitable for sporting purposes;  
31 (4) any Molotov cocktail or other device consisting of a breakable  
32 container containing flammable liquid and having a wick or similar  
33 device capable of being ignited. The term does not include any  
34 device manufactured for the purpose of illumination, distress  
35 signaling, line-throwing, safety or similar purposes.

36 d. "Dispose of" means to give, give away, lease, loan, keep for  
37 sale, offer, offer for sale, sell, transfer, or otherwise transfer  
38 possession.

39 e. "Explosive" means any chemical compound or mixture that  
40 is commonly used or is possessed for the purpose of producing an  
41 explosion and which contains any oxidizing and combustible  
42 materials or other ingredients in such proportions, quantities or  
43 packing that an ignition by fire, by friction, by concussion or by  
44 detonation of any part of the compound or mixture may cause such

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AAP committee amendments adopted March 22, 2018.

1 a sudden generation of highly heated gases that the resultant  
2 gaseous pressures are capable of producing destructive effects on  
3 contiguous objects. The term shall not include small arms  
4 ammunition, or explosives in the form prescribed by the official  
5 United States Pharmacopoeia.

6 f. "Firearm" means any handgun, rifle, shotgun, machine gun,  
7 automatic or semi-automatic rifle, or any gun, device or instrument  
8 in the nature of a weapon from which may be fired or ejected any  
9 solid projectable ball, slug, pellet, missile or bullet, or any gas,  
10 vapor or other noxious thing, by means of a cartridge or shell or by  
11 the action of an explosive or the igniting of flammable or explosive  
12 substances. It shall also include, without limitation, any firearm  
13 which is in the nature of an air gun, spring gun or pistol or other  
14 weapon of a similar nature in which the propelling force is a spring,  
15 elastic band, carbon dioxide, compressed or other gas or vapor, air  
16 or compressed air, or is ignited by compressed air, and ejecting a  
17 bullet or missile smaller than three-eighths of an inch in diameter,  
18 with sufficient force to injure a person.

19 g. "Firearm silencer" means any instrument, attachment,  
20 weapon or appliance for causing the firing of any gun, revolver,  
21 pistol or other firearm to be silent, or intended to lessen or muffle  
22 the noise of the firing of any gun, revolver, pistol or other firearm.

23 h. "Gravity knife" means any knife which has a blade which is  
24 released from the handle or sheath thereof by the force of gravity or  
25 the application of centrifugal force.

26 **[I.]** i. "Machine gun" means any firearm, mechanism or  
27 instrument not requiring that the trigger be pressed for each shot  
28 and having a reservoir, belt or other means of storing and carrying  
29 ammunition which can be loaded into the firearm, mechanism or  
30 instrument and fired therefrom.

31 j. "Manufacturer" means any person who receives or obtains  
32 raw materials or parts and processes them into firearms or finished  
33 parts of firearms, except a person who exclusively processes grips,  
34 stocks and other nonmetal parts of firearms. The term does not  
35 include a person who repairs existing firearms or receives new and  
36 used raw materials or parts solely for the repair of existing firearms.

37 k. "Handgun" means any pistol, revolver or other firearm  
38 originally designed or manufactured to be fired by the use of a  
39 single hand.

40 l. "Retail dealer" means any person including a gunsmith,  
41 except a manufacturer or a wholesale dealer, who sells, transfers or  
42 assigns for a fee or profit any firearm or parts of firearms or  
43 ammunition which he has purchased or obtained with the intention,  
44 or for the purpose, of reselling or reassigning to persons who are  
45 reasonably understood to be the ultimate consumers, and includes  
46 any person who is engaged in the business of repairing firearms or  
47 who sells any firearm to satisfy a debt secured by the pledge of a  
48 firearm.

- 1 m. "Rifle" means any firearm designed to be fired from the  
2 shoulder and using the energy of the explosive in a fixed metallic  
3 cartridge to fire a single projectile through a rifled bore for each  
4 single pull of the trigger.
- 5 n. "Shotgun" means any firearm designed to be fired from the  
6 shoulder and using the energy of the explosive in a fixed shotgun  
7 shell to fire through a smooth bore either a number of ball shots or a  
8 single projectile for each pull of the trigger, or any firearm designed  
9 to be fired from the shoulder which does not fire fixed ammunition.
- 10 o. "Sawed-off shotgun" means any shotgun having a barrel or  
11 barrels of less than 18 inches in length measured from the breech to  
12 the muzzle, or a rifle having a barrel or barrels of less than 16  
13 inches in length measured from the breech to the muzzle, or any  
14 firearm made from a rifle or a shotgun, whether by alteration, or  
15 otherwise, if such firearm as modified has an overall length of less  
16 than 26 inches.
- 17 p. "Switchblade knife" means any knife or similar device  
18 which has a blade which opens automatically by hand pressure  
19 applied to a button, spring or other device in the handle of the knife.
- 20 q. "Superintendent" means the Superintendent of the State  
21 Police.
- 22 r. "Weapon" means anything readily capable of lethal use or of  
23 inflicting serious bodily injury. The term includes, but is not  
24 limited to, all (1) firearms, even though not loaded or lacking a clip  
25 or other component to render them immediately operable; (2)  
26 components which can be readily assembled into a weapon; (3)  
27 gravity knives, switchblade knives, daggers, dirks, stilettos, or other  
28 dangerous knives, billies, blackjacks, bludgeons, metal knuckles,  
29 sandclubs, slingshots, cesti or similar leather bands studded with  
30 metal filings or razor blades imbedded in wood; and (4) stun guns;  
31 and any weapon or other device which projects, releases, or emits  
32 tear gas or any other substance intended to produce temporary  
33 physical discomfort or permanent injury through being vaporized or  
34 otherwise dispensed in the air.
- 35 s. "Wholesale dealer" means any person, except a  
36 manufacturer, who sells, transfers, or assigns firearms, or parts of  
37 firearms, to persons who are reasonably understood not to be the  
38 ultimate consumers, and includes persons who receive finished  
39 parts of firearms and assemble them into completed or partially  
40 completed firearms, in furtherance of such purpose, except that it  
41 shall not include those persons dealing exclusively in grips, stocks  
42 and other nonmetal parts of firearms.
- 43 t. "Stun gun" means any weapon or other device which emits  
44 an electrical charge or current intended to temporarily or  
45 permanently disable a person.
- 46 u. "Ballistic knife" means any weapon or other device capable  
47 of lethal use and which can propel a knife blade.

- 1 v. "Imitation firearm" means an object or device reasonably  
2 capable of being mistaken for a firearm.
- 3 w. "Assault firearm" means:
- 4 (1) The following firearms:
- 5 Algimec AGM1 type
- 6 Any shotgun with a revolving cylinder such as the "Street  
7 Sweeper" or "Striker 12"
- 8 Armalite AR-180 type
- 9 Australian Automatic Arms SAR
- 10 Avtomat Kalashnikov type semi-automatic firearms
- 11 Beretta AR-70 and BM59 semi-automatic firearms
- 12 Bushmaster Assault Rifle
- 13 Calico M-900 Assault carbine and M-900
- 14 CETME G3
- 15 Chartered Industries of Singapore SR-88 type
- 16 Colt AR-15 and CAR-15 series
- 17 Daewoo K-1, K-2, Max 1 and Max 2, AR 100 types
- 18 Demro TAC-1 carbine type
- 19 Encom MP-9 and MP-45 carbine types
- 20 FAMAS MAS223 types
- 21 FN-FAL, FN-LAR, or FN-FNC type semi-automatic firearms
- 22 Franchi SPAS 12 and LAW 12 shotguns
- 23 G3SA type
- 24 Galil type Heckler and Koch HK91, HK93, HK94, MP5, PSG-1
- 25 Intratec TEC 9 and 22 semi-automatic firearms
- 26 M1 carbine type
- 27 M14S type
- 28 MAC 10, MAC 11, MAC 11-9mm carbine type firearms
- 29 PJK M-68 carbine type
- 30 Plainfield Machine Company Carbine
- 31 Ruger K-Mini-14/5F and Mini-14/5RF
- 32 SIG AMT, SIG 550SP, SIG 551SP, SIG PE-57 types
- 33 SKS with detachable magazine type
- 34 Spectre Auto carbine type
- 35 Springfield Armory BM59 and SAR-48 type
- 36 Sterling MK-6, MK-7 and SAR types
- 37 Steyr A.U.G. semi-automatic firearms
- 38 USAS 12 semi-automatic type shotgun
- 39 Uzi type semi-automatic firearms
- 40 Valmet M62, M71S, M76, or M78 type semi-automatic firearms
- 41 Weaver Arm Nighthawk.
- 42 (2) Any firearm manufactured under any designation which is  
43 substantially identical to any of the firearms listed above.
- 44 (3) A semi-automatic shotgun with either a magazine capacity  
45 exceeding six rounds, a pistol grip, or a folding stock.
- 46 (4) A semi-automatic rifle with a fixed magazine capacity  
47 exceeding **[15]** 10 rounds. "Assault firearm" shall not include a

1 semi-automatic rifle which has an attached tubular device and which  
2 is capable of operating only with .22 caliber rimfire ammunition.

3 (5) A part or combination of parts designed or intended to  
4 convert a firearm into an assault firearm, or any combination of  
5 parts from which an assault firearm may be readily assembled if  
6 those parts are in the possession or under the control of the same  
7 person.

8 x. "Semi-automatic" means a firearm which fires a single  
9 projectile for each single pull of the trigger and is self-reloading or  
10 automatically chambers a round, cartridge, or bullet.

11 y. "Large capacity ammunition magazine" means a box, drum,  
12 tube or other container which is capable of holding more than **[15]**  
13 10 rounds of ammunition to be fed continuously and directly  
14 therefrom into a semi-automatic firearm. The term shall not include  
15 an attached tubular device which is capable of holding only .22  
16 caliber rimfire ammunition.

17 z. "Pistol grip" means a well-defined handle, similar to that  
18 found on a handgun, that protrudes conspicuously beneath the  
19 action of the weapon, and which permits the shotgun to be held and  
20 fired with one hand.

21 aa. "Antique handgun" means a handgun manufactured before  
22 1898, or a replica thereof, which is recognized as being historical in  
23 nature or of historical significance and either (1) utilizes a match,  
24 friction, flint, or percussion ignition, or which utilizes a pin-fire  
25 cartridge in which the pin is part of the cartridge or (2) does not fire  
26 fixed ammunition or for which cartridge ammunition is not  
27 commercially available.

28 bb. "Trigger lock" means a commercially available device  
29 approved by the Superintendent of State Police which is operated  
30 with a key or combination lock that prevents a firearm from being  
31 discharged while the device is attached to the firearm. It may  
32 include, but need not be limited to, devices that obstruct the barrel  
33 or cylinder of the firearm, as well as devices that immobilize the  
34 trigger.

35 cc. "Trigger locking device" means a device that, if installed on  
36 a firearm and secured by means of a key or mechanically,  
37 electronically or electromechanically operated combination lock,  
38 prevents the firearm from being discharged without first  
39 deactivating or removing the device by means of a key or  
40 mechanically, electronically or electromechanically operated  
41 combination lock.

42 dd. "Personalized handgun" means a handgun which  
43 incorporates within its design, and as part of its original  
44 manufacture, technology which automatically limits its operational  
45 use and which cannot be readily deactivated, so that it may only be  
46 fired by an authorized or recognized user. The technology limiting  
47 the handgun's operational use may include, but not be limited to:  
48 radio frequency tagging, touch memory, remote control, fingerprint,

1 magnetic encoding and other automatic user identification systems  
2 utilizing biometric, mechanical or electronic systems. No make or  
3 model of a handgun shall be deemed to be a "personalized handgun"  
4 unless the Attorney General has determined, through testing or  
5 other reasonable means, that the handgun meets any reliability  
6 standards that the manufacturer may require for its commercially  
7 available handguns that are not personalized or, if the manufacturer  
8 has no such reliability standards, the handgun meets the reliability  
9 standards generally used in the industry for commercially available  
10 handguns.

11 (cf: P.L.2002, c.130, s.5)]<sup>1</sup>

12

13 <sup>1</sup>1. N.J.S.2C:39-1 is amended to read as follows:

14 Definitions. The following definitions apply to this chapter and  
15 to chapter 58:

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17 cannon" means a destructive device defined in paragraph (3) of  
18 subsection c. of this section, if the rifle, shotgun or destructive  
19 device, as the case may be, is incapable of being fired or  
20 discharged, or which does not fire fixed ammunition, regardless of  
21 date of manufacture, or was manufactured before 1898 for which  
22 cartridge ammunition is not commercially available, and is  
23 possessed as a curiosity or ornament or for its historical  
24 significance or value.

25 b. "Deface" means to remove, deface, cover, alter or destroy  
26 the name of the maker, model designation, manufacturer's serial  
27 number or any other distinguishing identification mark or number  
28 on any firearm.

29 c. "Destructive device" means any device, instrument or object  
30 designed to explode or produce uncontrolled combustion, including  
31 (1) any explosive or incendiary bomb, mine or grenade; (2) any  
32 rocket having a propellant charge of more than four ounces or any  
33 missile having an explosive or incendiary charge of more than one-  
34 quarter of an ounce; (3) any weapon capable of firing a projectile of  
35 a caliber greater than 60 caliber, except a shotgun or shotgun  
36 ammunition generally recognized as suitable for sporting purposes;  
37 (4) any Molotov cocktail or other device consisting of a breakable  
38 container containing flammable liquid and having a wick or similar  
39 device capable of being ignited. The term does not include any  
40 device manufactured for the purpose of illumination, distress  
41 signaling, line-throwing, safety or similar purposes.

42 d. "Dispose of" means to give, give away, lease, loan, keep for  
43 sale, offer, offer for sale, sell, transfer, or otherwise transfer  
44 possession.

45 e. "Explosive" means any chemical compound or mixture that  
46 is commonly used or is possessed for the purpose of producing an  
47 explosion and which contains any oxidizing and combustible  
48 materials or other ingredients in such proportions, quantities or

1 packing that an ignition by fire, by friction, by concussion or by  
2 detonation of any part of the compound or mixture may cause such  
3 a sudden generation of highly heated gases that the resultant  
4 gaseous pressures are capable of producing destructive effects on  
5 contiguous objects. The term shall not include small arms  
6 ammunition, or explosives in the form prescribed by the official  
7 United States Pharmacopoeia.

8 f. "Firearm" means any handgun, rifle, shotgun, machine gun,  
9 automatic or semi-automatic rifle, or any gun, device or instrument  
10 in the nature of a weapon from which may be fired or ejected any  
11 solid projectable ball, slug, pellet, missile or bullet, or any gas,  
12 vapor or other noxious thing, by means of a cartridge or shell or by  
13 the action of an explosive or the igniting of flammable or explosive  
14 substances. It shall also include, without limitation, any firearm  
15 which is in the nature of an air gun, spring gun or pistol or other  
16 weapon of a similar nature in which the propelling force is a spring,  
17 elastic band, carbon dioxide, compressed or other gas or vapor, air  
18 or compressed air, or is ignited by compressed air, and ejecting a  
19 bullet or missile smaller than three-eighths of an inch in diameter,  
20 with sufficient force to injure a person.

21 g. "Firearm silencer" means any instrument, attachment,  
22 weapon or appliance for causing the firing of any gun, revolver,  
23 pistol or other firearm to be silent, or intended to lessen or muffle  
24 the noise of the firing of any gun, revolver, pistol or other firearm.

25 h. "Gravity knife" means any knife which has a blade which is  
26 released from the handle or sheath thereof by the force of gravity or  
27 the application of centrifugal force.

28 i. "Machine gun" means any firearm, mechanism or instrument  
29 not requiring that the trigger be pressed for each shot and having a  
30 reservoir, belt or other means of storing and carrying ammunition  
31 which can be loaded into the firearm, mechanism or instrument and  
32 fired therefrom. A machine gun also shall include, without  
33 limitation, any firearm with a trigger crank attached.

34 j. "Manufacturer" means any person who receives or obtains  
35 raw materials or parts and processes them into firearms or finished  
36 parts of firearms, except a person who exclusively processes grips,  
37 stocks and other nonmetal parts of firearms. The term does not  
38 include a person who repairs existing firearms or receives new and  
39 used raw materials or parts solely for the repair of existing firearms.

40 k. "Handgun" means any pistol, revolver or other firearm  
41 originally designed or manufactured to be fired by the use of a  
42 single hand.

43 l. "Retail dealer" means any person including a gunsmith,  
44 except a manufacturer or a wholesale dealer, who sells, transfers or  
45 assigns for a fee or profit any firearm or parts of firearms or  
46 ammunition which he has purchased or obtained with the intention,  
47 or for the purpose, of reselling or reassigning to persons who are  
48 reasonably understood to be the ultimate consumers, and includes



1 any person who is engaged in the business of repairing firearms or  
2 who sells any firearm to satisfy a debt secured by the pledge of a  
3 firearm.

4 m. "Rifle" means any firearm designed to be fired from the  
5 shoulder and using the energy of the explosive in a fixed metallic  
6 cartridge to fire a single projectile through a rifled bore for each  
7 single pull of the trigger.

8 n. "Shotgun" means any firearm designed to be fired from the  
9 shoulder and using the energy of the explosive in a fixed shotgun  
10 shell to fire through a smooth bore either a number of ball shots or a  
11 single projectile for each pull of the trigger, or any firearm designed  
12 to be fired from the shoulder which does not fire fixed ammunition.

13 o. "Sawed-off shotgun" means any shotgun having a barrel or  
14 barrels of less than 18 inches in length measured from the breech to  
15 the muzzle, or a rifle having a barrel or barrels of less than 16  
16 inches in length measured from the breech to the muzzle, or any  
17 firearm made from a rifle or a shotgun, whether by alteration, or  
18 otherwise, if such firearm as modified has an overall length of less  
19 than 26 inches.

20 p. "Switchblade knife" means any knife or similar device  
21 which has a blade which opens automatically by hand pressure  
22 applied to a button, spring or other device in the handle of the knife.

23 q. "Superintendent" means the Superintendent of the State  
24 Police.

25 r. "Weapon" means anything readily capable of lethal use or of  
26 inflicting serious bodily injury. The term includes, but is not  
27 limited to, all (1) firearms, even though not loaded or lacking a clip  
28 or other component to render them immediately operable; (2)  
29 components which can be readily assembled into a weapon; (3)  
30 gravity knives, switchblade knives, daggers, dirks, stilettos, or other  
31 dangerous knives, billies, blackjacks, bludgeons, metal knuckles,  
32 sandclubs, slingshots, cesti or similar leather bands studded with  
33 metal filings or razor blades imbedded in wood; and (4) stun guns;  
34 and any weapon or other device which projects, releases, or emits  
35 tear gas or any other substance intended to produce temporary  
36 physical discomfort or permanent injury through being vaporized or  
37 otherwise dispensed in the air.

38 s. "Wholesale dealer" means any person, except a  
39 manufacturer, who sells, transfers, or assigns firearms, or parts of  
40 firearms, to persons who are reasonably understood not to be the  
41 ultimate consumers, and includes persons who receive finished  
42 parts of firearms and assemble them into completed or partially  
43 completed firearms, in furtherance of such purpose, except that it  
44 shall not include those persons dealing exclusively in grips, stocks  
45 and other nonmetal parts of firearms.

46 t. "Stun gun" means any weapon or other device which emits  
47 an electrical charge or current intended to temporarily or  
48 permanently disable a person.

- 1 u. "Ballistic knife" means any weapon or other device capable  
2 of lethal use and which can propel a knife blade.
- 3 v. "Imitation firearm" means an object or device reasonably  
4 capable of being mistaken for a firearm.
- 5 w. "Assault firearm" means:
- 6 (1) The following firearms:
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9 Sweeper" or "Striker 12"  
10 Armalite AR-180 type  
11 Australian Automatic Arms SAR  
12 Avtomat Kalashnikov type semi-automatic firearms  
13 Beretta AR-70 and BM59 semi-automatic firearms  
14 Bushmaster Assault Rifle  
15 Calico M-900 Assault carbine and M-900  
16 CETME G3  
17 Chartered Industries of Singapore SR-88 type  
18 Colt AR-15 and CAR-15 series  
19 Daewoo K-1, K-2, Max 1 and Max 2, AR 100 types  
20 Demro TAC-1 carbine type  
21 Encom MP-9 and MP-45 carbine types  
22 FAMAS MAS223 types  
23 FN-FAL, FN-LAR, or FN-FNC type semi-automatic firearms  
24 Franchi SPAS 12 and LAW 12 shotguns  
25 G3SA type  
26 Galil type Heckler and Koch HK91, HK93, HK94, MP5, PSG-1  
27 Intratec TEC 9 and 22 semi-automatic firearms  
28 M1 carbine type  
29 M14S type  
30 MAC 10, MAC 11, MAC 11-9mm carbine type firearms  
31 PJK M-68 carbine type  
32 Plainfield Machine Company Carbine  
33 Ruger K-Mini-14/5F and Mini-14/5RF  
34 SIG AMT, SIG 550SP, SIG 551SP, SIG PE-57 types  
35 SKS with detachable magazine type  
36 Spectre Auto carbine type  
37 Springfield Armory BM59 and SAR-48 type  
38 Sterling MK-6, MK-7 and SAR types  
39 Steyr A.U.G. semi-automatic firearms  
40 USAS 12 semi-automatic type shotgun  
41 Uzi type semi-automatic firearms  
42 Valmet M62, M71S, M76, or M78 type semi-automatic firearms  
43 Weaver Arm Nighthawk.
- 44 (2) Any firearm manufactured under any designation which is  
45 substantially identical to any of the firearms listed above.
- 46 (3) A semi-automatic shotgun with either a magazine capacity  
47 exceeding six rounds, a pistol grip, or a folding stock.

1 (4) A semi-automatic rifle with a fixed magazine capacity  
2 exceeding **[15]** 10 rounds. “Assault firearm” shall not include a  
3 semi-automatic rifle which has an attached tubular device and which  
4 is capable of operating only with .22 caliber rimfire ammunition.

5 (5) A part or combination of parts designed or intended to  
6 convert a firearm into an assault firearm, or any combination of  
7 parts from which an assault firearm may be readily assembled if  
8 those parts are in the possession or under the control of the same  
9 person.

10 (6) A firearm with a bump stock attached.

11 x. "Semi-automatic" means a firearm which fires a single  
12 projectile for each single pull of the trigger and is self-reloading or  
13 automatically chambers a round, cartridge, or bullet.

14 y. "Large capacity ammunition magazine" means a box, drum,  
15 tube or other container which is capable of holding more than **[15]**  
16 10 rounds of ammunition to be fed continuously and directly  
17 therefrom into a semi-automatic firearm. The term shall not include  
18 an attached tubular device which is capable of holding only .22  
19 caliber rimfire ammunition.

20 z. "Pistol grip" means a well-defined handle, similar to that  
21 found on a handgun, that protrudes conspicuously beneath the  
22 action of the weapon, and which permits the shotgun to be held and  
23 fired with one hand.

24 aa. "Antique handgun" means a handgun manufactured before  
25 1898, or a replica thereof, which is recognized as being historical in  
26 nature or of historical significance and either (1) utilizes a match,  
27 friction, flint, or percussion ignition, or which utilizes a pin-fire  
28 cartridge in which the pin is part of the cartridge or (2) does not fire  
29 fixed ammunition or for which cartridge ammunition is not  
30 commercially available.

31 bb. "Trigger lock" means a commercially available device  
32 approved by the Superintendent of State Police which is operated  
33 with a key or combination lock that prevents a firearm from being  
34 discharged while the device is attached to the firearm. It may  
35 include, but need not be limited to, devices that obstruct the barrel  
36 or cylinder of the firearm, as well as devices that immobilize the  
37 trigger.

38 cc. "Trigger locking device" means a device that, if installed on  
39 a firearm and secured by means of a key or mechanically,  
40 electronically or electromechanically operated combination lock,  
41 prevents the firearm from being discharged without first  
42 deactivating or removing the device by means of a key or  
43 mechanically, electronically or electromechanically operated  
44 combination lock.

45 dd. "Personalized handgun" means a handgun which  
46 incorporates within its design, and as part of its original  
47 manufacture, technology which automatically limits its operational  
48 use and which cannot be readily deactivated, so that it may only be

1 fired by an authorized or recognized user. The technology limiting  
2 the handgun's operational use may include, but not be limited to:  
3 radio frequency tagging, touch memory, remote control, fingerprint,  
4 magnetic encoding and other automatic user identification systems  
5 utilizing biometric, mechanical or electronic systems. No make or  
6 model of a handgun shall be deemed to be a "personalized handgun"  
7 unless the Attorney General has determined, through testing or  
8 other reasonable means, that the handgun meets any reliability  
9 standards that the manufacturer may require for its commercially  
10 available handguns that are not personalized or, if the manufacturer  
11 has no such reliability standards, the handgun meets the reliability  
12 standards generally used in the industry for commercially available  
13 handguns.

14 ee. "Bump stock" means any device or instrument for a firearm  
15 that increases the rate of fire achievable with the firearm by using  
16 energy from the recoil of the firearm to generate a reciprocating  
17 action that facilitates repeated activation of the trigger.

18 ff. "Trigger crank" means any device or instrument to be  
19 attached to a firearm that repeatedly activates the trigger of the  
20 firearm through the use of a lever or other part that is turned in a  
21 circular motion; provided, however, the term shall not include any  
22 weapon initially designed and manufactured to fire through the use  
23 of a crank or lever.<sup>1</sup>

24 (cf: P.L.2017, c.323, s.1)

25

26 <sup>1</sup>2. N.J.S.2C:39-3 is amended to read as follows:

27 2C:39-3. Prohibited Weapons and Devices.

28 a. Destructive devices. Any person who knowingly has in his  
29 possession any destructive device is guilty of a crime of the third  
30 degree.

31 b. Sawed-off shotguns. Any person who knowingly has in his  
32 possession any sawed-off shotgun is guilty of a crime of the third  
33 degree.

34 c. Silencers. Any person who knowingly has in his possession  
35 any firearm silencer is guilty of a crime of the fourth degree.

36 d. Defaced firearms. Any person who knowingly has in his  
37 possession any firearm which has been defaced, except an antique  
38 firearm or an antique handgun, is guilty of a crime of the fourth  
39 degree.

40 e. Certain weapons. Any person who knowingly has in his  
41 possession any gravity knife, switchblade knife, dagger, dirk,  
42 stiletto, billy, blackjack, metal knuckle, sandclub, slingshot, cestus  
43 or similar leather band studded with metal filings or razor blades  
44 imbedded in wood, ballistic knife, without any explainable lawful  
45 purpose, is guilty of a crime of the fourth degree.

46 f. Dum-dum or body armor penetrating bullets. (1) Any  
47 person, other than a law enforcement officer or persons engaged in  
48 activities pursuant to subsection f. of N.J.S.2C:39-6, who

1 knowingly has in his possession any hollow nose or dum-dum  
2 bullet, or (2) any person, other than a collector of firearms or  
3 ammunition as curios or relics as defined in Title 18, United States  
4 Code, section 921 (a) (13) and has in his possession a valid  
5 Collector of Curios and Relics License issued by the Bureau of  
6 Alcohol, Tobacco and Firearms, who knowingly has in his  
7 possession any body armor breaching or penetrating ammunition,  
8 which means: (a) ammunition primarily designed for use in a  
9 handgun, and (b) which is comprised of a bullet whose core or  
10 jacket, if the jacket is thicker than .025 of an inch, is made of  
11 tungsten carbide, or hard bronze, or other material which is harder  
12 than a rating of 72 or greater on the Rockwell B. Hardness Scale,  
13 and (c) is therefore capable of breaching or penetrating body armor,  
14 is guilty of a crime of the fourth degree. For purposes of this  
15 section, a collector may possess not more than three examples of  
16 each distinctive variation of the ammunition described above. A  
17 distinctive variation includes a different head stamp, composition,  
18 design, or color.

19 g. Exceptions. (1) Nothing in subsection a., b., c., d., e., f., j.  
20 or k. of this section shall apply to any member of the Armed Forces  
21 of the United States or the National Guard, or except as otherwise  
22 provided, to any law enforcement officer while actually on duty or  
23 traveling to or from an authorized place of duty, provided that his  
24 possession of the prohibited weapon or device has been duly  
25 authorized under the applicable laws, regulations or military or law  
26 enforcement orders. Nothing in subsection h. of this section shall  
27 apply to any law enforcement officer who is exempted from the  
28 provisions of that subsection by the Attorney General. Nothing in  
29 this section shall apply to the possession of any weapon or device  
30 by a law enforcement officer who has confiscated, seized or  
31 otherwise taken possession of said weapon or device as evidence of  
32 the commission of a crime or because he believed it to be possessed  
33 illegally by the person from whom it was taken, provided that said  
34 law enforcement officer promptly notifies his superiors of his  
35 possession of such prohibited weapon or device.

36 (2) a. Nothing in subsection f. (1) shall be construed to prevent  
37 a person from keeping such ammunition at his dwelling, premises  
38 or other land owned or possessed by him, or from carrying such  
39 ammunition from the place of purchase to said dwelling or land, nor  
40 shall subsection f. (1) be construed to prevent any licensed retail or  
41 wholesale firearms dealer from possessing such ammunition at its  
42 licensed premises, provided that the seller of any such ammunition  
43 shall maintain a record of the name, age and place of residence of  
44 any purchaser who is not a licensed dealer, together with the date of  
45 sale and quantity of ammunition sold.

46 b. Nothing in subsection f.(1) shall be construed to prevent a  
47 designated employee or designated licensed agent for a nuclear  
48 power plant under the license of the Nuclear Regulatory

1 Commission from possessing hollow nose ammunition while in the  
2 actual performance of his official duties, if the federal licensee  
3 certifies that the designated employee or designated licensed agent  
4 is assigned to perform site protection, guard, armed response or  
5 armed escort duties and is appropriately trained and qualified, as  
6 prescribed by federal regulation, to perform those duties.

7 (3) Nothing in paragraph (2) of subsection f. or in subsection j.  
8 shall be construed to prevent any licensed retail or wholesale  
9 firearms dealer from possessing that ammunition or large capacity  
10 ammunition magazine at its licensed premises for sale or disposition  
11 to another licensed dealer, the Armed Forces of the United States or  
12 the National Guard, or to a law enforcement agency, provided that  
13 the seller maintains a record of any sale or disposition to a law  
14 enforcement agency. The record shall include the name of the  
15 purchasing agency, together with written authorization of the chief  
16 of police or highest ranking official of the agency, the name and  
17 rank of the purchasing law enforcement officer, if applicable, and  
18 the date, time and amount of ammunition sold or otherwise  
19 disposed. A copy of this record shall be forwarded by the seller to  
20 the Superintendent of the Division of State Police within 48 hours  
21 of the sale or disposition.

22 (4) Nothing in subsection a. of this section shall be construed to  
23 apply to antique cannons as exempted in subsection d. of  
24 N.J.S.2C:39-6.

25 (5) Nothing in subsection c. of this section shall be construed to  
26 apply to any person who is specifically identified in a special deer  
27 management permit issued by the Division of Fish and Wildlife to  
28 utilize a firearm silencer as part of an alternative deer control  
29 method implemented in accordance with a special deer management  
30 permit issued pursuant to section 4 of P.L.2000, c.46 (C.23:4-42.6),  
31 while the person is in the actual performance of the permitted  
32 alternative deer control method and while going to and from the  
33 place where the permitted alternative deer control method is being  
34 utilized. This exception shall not, however, otherwise apply to any  
35 person to authorize the purchase or possession of a firearm silencer.

36 h. Stun guns. Any person who knowingly has in his possession  
37 any stun gun is guilty of a crime of the fourth degree.

38 i. Nothing in subsection e. of this section shall be construed to  
39 prevent any guard in the employ of a private security company, who  
40 is licensed to carry a firearm, from the possession of a nightstick  
41 when in the actual performance of his official duties, provided that  
42 he has satisfactorily completed a training course approved by the  
43 Police Training Commission in the use of a nightstick.

44 j. Any person who knowingly has in his possession a large  
45 capacity ammunition magazine is guilty of a crime of the fourth  
46 degree unless the person has registered:

47 (1) an assault firearm pursuant to section 11 of P.L.1990, c.32  
48 (C.2C:58-12) and the magazine is maintained and used in

1 connection with participation in competitive shooting matches  
 2 sanctioned by the Director of Civilian Marksmanship of the United  
 3 States Department of the Army **[.]** or

4 (2) a firearm with a fixed magazine capacity capable of holding  
 5 up to 15 rounds pursuant to section 7 of  
 6 P.L. , c. (C. ) (pending before the Legislature as this bill).

7 k. Handcuffs. Any person who knowingly has in his  
 8 possession handcuffs as defined in P.L.1991, c.437 (C.2C:39-9.2),  
 9 under circumstances not manifestly appropriate for such lawful uses  
 10 as handcuffs may have, is guilty of a disorderly persons offense. A  
 11 law enforcement officer shall confiscate handcuffs possessed in  
 12 violation of the law.

13 l. Bump stock or trigger crank. Any person who knowingly  
 14 possesses a bump stock as defined in subsection ee. of N.J.S.2C:39-  
 15 1 or a trigger crank as defined in subsection ff. of N.J.S.2C:39-1,  
 16 regardless of whether the person is in possession of a firearm, is  
 17 guilty of a crime of the third degree.

18 Notwithstanding the provisions of N.J.S.2C:1-8 or any other  
 19 provision of law, a conviction arising out of this subsection shall  
 20 not merge with a conviction for possessing an assault firearm in  
 21 violation of subsection f. of N.J.S.2C:39-5 or a machine gun in  
 22 violation of subsection a. of N.J.S.2C:39-5 and a separate sentence  
 23 shall be imposed upon each conviction. Notwithstanding the  
 24 provisions of N.J.S.2C:44-5 or any other provisions of law, the  
 25 sentence imposed pursuant to this subsection shall be served  
 26 consecutively to that imposed for unlawfully possessing an assault  
 27 firearm in violation of subsection f. of N.J.S.2C:39-5.<sup>1</sup>

28 (cf: P.L.2017, c.323, s.2)

29  
 30 <sup>1</sup>**[2.] 3.**<sup>1</sup> (New section) Notwithstanding the provisions of  
 31 subsection j. of N.J.S.2C:39-3, a retired law enforcement officer  
 32 who is authorized to possess and carry a handgun pursuant to  
 33 subsection l. of N.J.S.2C:39-6 may possess and carry a large  
 34 capacity ammunition magazine which is capable of holding up to 15  
 35 rounds of ammunition that can be fed continuously and directly into  
 36 a semi-automatic handgun.

37  
 38 <sup>1</sup>**[3.** (New section) Notwithstanding the provisions of  
 39 N.J.S.2C:39-6, a law enforcement officer may possess and carry  
 40 while on duty a large capacity ammunition magazine and possess  
 41 and carry while off duty a large capacity ammunition magazine  
 42 which is capable of holding up to 15 rounds of ammunition that can  
 43 be fed continuously and directly into a semi-automatic firearm.**]**<sup>1</sup>

44  
 45 <sup>1</sup>4. (New section) The provisions of P.L. , c. (C. ) (pending  
 46 before the Legislature as this bill) shall not apply to the possession  
 47 of a large capacity ammunition magazine solely used as a prop for a

1 motion picture, television, or video production, provided the large  
2 capacity ammunition magazine has been reconfigured to fire blank  
3 ammunition and remains under the control of a federal firearms  
4 license holder.<sup>1</sup>

5  
6 <sup>1</sup>~~4.~~ 5.<sup>1</sup> (New section) <sup>1</sup>~~Any~~ Except as provided in section  
7 7 of P.L. , c. (C. ) (pending before the Legislature as this  
8 bill),<sup>1</sup> a person who legally owns a semi-automatic rifle with a fixed  
9 magazine capacity exceeding 10 rounds or a large capacity  
10 ammunition magazine as defined under subsection y. of  
11 N.J.S.2C:39-1 which is capable of holding more than 10 rounds of  
12 ammunition on the effective date of P.L. , c. (C. ) (pending  
13 before the Legislature as this bill) may retain possession of that rifle  
14 or magazine for a period not to exceed 180 days <sup>1</sup>~~from~~ after<sup>1</sup> the  
15 effective date of this act. During this time period, the owner of the  
16 semi-automatic rifle or magazine shall:

17 a. Transfer the semi-automatic rifle or magazine to any person  
18 or firm lawfully entitled to own or possess that firearm or  
19 magazine;

20 b. Render the semi-automatic rifle or magazine inoperable <sup>1</sup>or  
21 permanently modify a large capacity ammunition magazine to  
22 accept 10 rounds or less<sup>1</sup>; or

23 c. Voluntarily surrender the semi-automatic rifle or magazine  
24 pursuant to the provisions of N.J.S.2C:39-12.

25  
26 <sup>1</sup>~~5.~~ 6.<sup>1</sup> N.J.S.2C:39-12 is amended to read as follows:

27 2C:39-12. No person shall be convicted of an offense under this  
28 chapter for possessing any firearms, weapons, destructive devices,  
29 large capacity ammunition magazines, silencers or explosives, if  
30 after giving written notice of his intention to do so, including the  
31 proposed date and time of surrender, he voluntarily surrendered the  
32 weapon, device, instrument or substance in question to the  
33 superintendent or to the chief of police in the municipality in which  
34 he resides, provided that the required notice is received by the  
35 superintendent or chief of police before any charges have been  
36 made or complaints filed against such person for the unlawful  
37 possession of the weapon, device, instrument or substance in  
38 question and before any investigation has been commenced by any  
39 law enforcement agency concerning the unlawful possession.  
40 Nothing in this section shall be construed as granting immunity  
41 from prosecution for any crime or offense except that of the  
42 unlawful possession of such weapons, devices, instruments or  
43 substances surrendered as herein provided.

44 (cf: N.J.S.2C:39-12)

45  
46 <sup>1</sup>7. (New section) a. A person who legally owns a firearm with  
47 a fixed magazine capacity holding up to 15 rounds which is



1 incapable of being modified to accommodate 10 or less rounds and  
2 was purchased on or prior to the effective date of P.L. \_\_\_\_\_,  
3 c. (C. \_\_\_\_\_) (pending before the Legislature as this bill) shall  
4 register that firearm within one year from the effective date this act.  
5 In order to register the firearm, the owner shall:  
6 (1) complete a registration statement, in the form to be  
7 prescribed by the Superintendent of the State Police;  
8 (2) pay a registration fee of \$50 per firearm; and  
9 (3) produce for inspection a valid firearms purchaser  
10 identification card, permit to carry a handgun, or permit to purchase  
11 a handgun.  
12 b. The information provided in the registration statement  
13 established pursuant to subsection a. of this section shall include,  
14 but shall not be limited to: the name and address of the registrant;  
15 the number or numbers on the registrant's firearms purchaser  
16 identification card, permit to carry a handgun, or permit to purchase  
17 a handgun; and the make, model, and serial number of the firearm  
18 being registered. Each registration statement shall be signed by the  
19 registrant, and the signature shall constitute a representation of the  
20 accuracy of the information contained in the registration statement.  
21 c. An applicant shall register the firearm in the law  
22 enforcement agency of the municipality in which the applicant  
23 resides or, if the municipality does not have a municipal law  
24 enforcement agency, any State Police station.  
25 d. Within 60 days of the effective date of P.L. \_\_\_\_\_, c. (C. \_\_\_\_\_)  
26 (pending before the Legislature as this bill), the superintendent shall  
27 prepare the form of registration statement as described in subsection  
28 b. of this section and shall provide a suitable supply of statements to  
29 each organized full-time municipal police department and each  
30 State Police station.  
31 e. One copy of the completed registration statement shall be  
32 returned to the registrant, a second copy shall be sent to the  
33 Superintendent, and, if the registration takes place at a municipal  
34 police department, a third copy shall be retained by that municipal  
35 police department.  
36 f. The heir or estate of an owner of a firearm which has been  
37 registered pursuant to this section shall within 90 days after the  
38 owner's death dispose of that firearm in accordance with section 5  
39 of P.L. \_\_\_\_\_, c. (C. \_\_\_\_\_) (pending before the Legislature as this  
40 bill)<sup>1</sup>

41  
42 <sup>1</sup>**[6.] 8.** This act shall take effect immediately.