

# ASSEMBLY, No. 3696

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MARCH 13, 2018

**Sponsored by:**

**Assemblywoman JOANN DOWNEY**

**District 11 (Monmouth)**

**Assemblyman ERIC HOUGHTALING**

**District 11 (Monmouth)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Co-Sponsored by:**

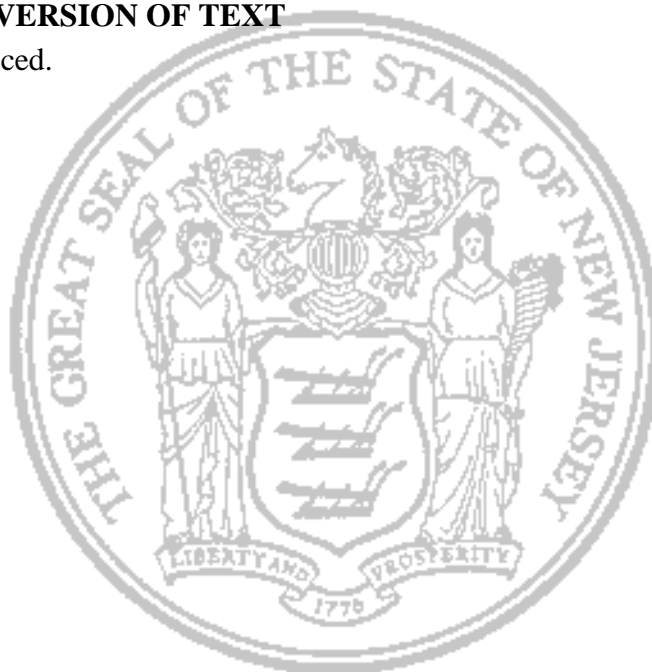
**Assemblyman Benson, Assemblywomen Reynolds-Jackson, Swain,  
Assemblyman Tully, Assemblywoman Pinkin and Assemblyman McKeon**

**SYNOPSIS**

Requires safe storage of firearms; establishes penalties for improper firearm storage.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/21/2019)**

1 AN ACT concerning safe storage of firearms and supplementing  
2 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:

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7 1. a. A legal owner of a firearm shall store or secure a firearm  
8 that is not in use at a premises under the owner's control:

9 (1) in a securely locked box or container;

10 (2) in a location which a reasonable person would believe to be  
11 secure; or

12 (3) with a trigger lock.

13 b. Nothing in this section shall be construed to prevent a legal  
14 owner from being authorized, pursuant to subsection e. of  
15 N.J.S.2C:39-6, to lawfully keep or carry about the owner's place of  
16 business, residence, premises, or other land owned or possessed by  
17 the owner, any firearm, or from carrying the same, in the manner  
18 specified in subsection g. of N.J.S.2C:39-6, from any place of  
19 purchase to the owner's residence or place of business, between the  
20 owner's dwelling and the owner's place of business, between one  
21 place of business or residence and another when moving, or  
22 between the owner's dwelling or place of business and place where  
23 the firearms are repaired, for the purpose of repair. For the  
24 purposes of this section, a place of business shall be deemed to be a  
25 fixed location.

26 c. This section shall not apply to temporary transfer of a firearm  
27 authorized pursuant to section 1 of P.L.1992, c.74 (C.2C:58-3.1).

28 d. A person who violates subsection a. of this section is guilty of  
29 a disorderly persons offense.

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31 2. This act shall take effect immediately.

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#### STATEMENT

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36 This bill requires the safe storage of a firearm and establishes  
37 penalties for improper firearm storage.

38 In New Jersey, there are storage requirements and penalties that  
39 protect minors from accessing loaded firearms when they are not in  
40 use in the home. However, there currently are no general  
41 requirements for storing firearms when they are not in use.

42 This bill requires a legal owner of a firearm that is not in use at a  
43 premises under the owner's control to store the firearm: in a  
44 securely locked box or container; in a location which a reasonable  
45 person would believe to be secure; or to secure the firearm with a  
46 trigger lock. If the owner of the firearm fails to properly store the  
47 firearm as required under the bill, the owner will be guilty of a  
48 disorderly persons offense. A disorderly persons offense is

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1 punishable by up to six months' imprisonment, a fine of up to  
2 \$1,000, or both.

3 Under current law, the legal owner of a firearm is authorized to  
4 lawfully keep or carry a firearm at the owner's place of business,  
5 residence, premises, or other land owned or possessed by the owner,  
6 and is permitted to transport the firearm under limited  
7 circumstances, as specified under current law. The bill clarifies that  
8 these provisions of current law regarding a legal owner's right to  
9 keep or carry a firearm are not modified by the bill.

10 Current law also provides that the legal owner of a firearm may  
11 temporarily transfer a firearm to another person under certain  
12 circumstances, whether or not that person has a firearms purchaser  
13 identification card or a permit to carry a handgun. The bill clarifies  
14 that its provisions do not apply to or modify current law regarding  
15 the temporary transfer of a firearm.