

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:

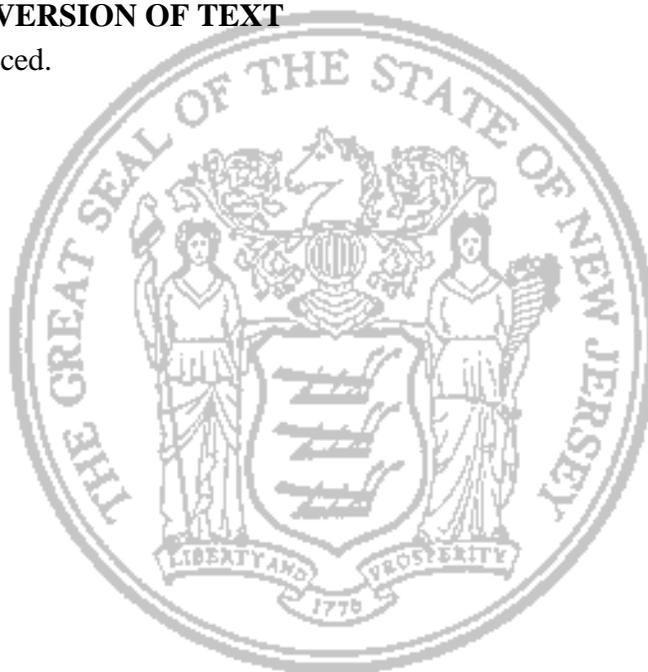
**Assemblyman Benson, Assemblywomen Reynolds-Jackson, Swain,
Assemblyman Tully, Assemblywoman Pinkin and Assemblyman McKeon**

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.

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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.