

# ASSEMBLY, No. 5452

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 23, 2019

**Sponsored by:**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Assemblyman GORDON M. JOHNSON**

**District 37 (Bergen)**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Co-Sponsored by:**

**Assemblywomen Vainieri Huttie, Jasey and Assemblyman McKeon**

**SYNOPSIS**

Provides that firearms purchaser identification card is valid for four years; requires training prior to issuance of firearms cards and handgun purchase permits; revises procedures for passing of firearms to heir or legatee.

**CURRENT VERSION OF TEXT**

As introduced.



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

1 AN ACT concerning firearms and amending N.J.S.2C:58-3.

2

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

5

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

7 2C:58-3. a. Permit to purchase a handgun.

8 (1) No person shall sell, give, transfer, assign or otherwise  
9 dispose of, nor receive, purchase, or otherwise acquire a handgun  
10 unless the purchaser, assignee, donee, receiver or holder is licensed  
11 as a dealer under this chapter or has first secured a permit to  
12 purchase a handgun as provided by this section.

13 (2) A person who is not a licensed retail dealer and sells, gives,  
14 transfers, assigns, or otherwise disposes of, or receives, purchases  
15 or otherwise acquires a handgun pursuant to this section shall  
16 conduct the transaction through a licensed retail dealer.

17 The provisions of this paragraph shall not apply if the transaction  
18 is:

19 (a) between members of an immediate family as defined in  
20 subsection n. of this section;

21 (b) between law enforcement officers;

22 (c) between collectors of firearms or ammunition as curios or  
23 relics as defined in Title 18, U.S.C. section 921 (a) (13) who have  
24 in their possession a valid Collector of Curios and Relics License  
25 issued by the Bureau of Alcohol, Tobacco, Firearms, and  
26 Explosives; or

27 (d) a temporary transfer pursuant to section 1 of P.L.1992,  
28 c.74 (C.2C:58-3.1) or section 1 of P.L.1997, c.375 (C.2C:58-3.2).

29 (3) Prior to a transaction conducted pursuant to this subsection,  
30 the retail dealer shall complete a National Instant Criminal  
31 Background Check of the person acquiring the handgun. In  
32 addition:

33 (a) the retail dealer shall submit to the Superintendent of State  
34 Police, on a form approved by the superintendent, information  
35 identifying and confirming the background check;

36 (b) every retail dealer shall maintain a record of transactions  
37 conducted pursuant to this subsection, which shall be maintained at  
38 the address displayed on the retail dealer's license for inspection by  
39 a law enforcement officer during reasonable hours;

40 (c) a retail dealer may charge a fee for a transaction conducted  
41 pursuant to this subsection; and

42 (d) any record produced pursuant to this subsection shall not be  
43 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et  
44 seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

45 b. Firearms purchaser identification card.

**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 (1) No person shall sell, give, transfer, assign or otherwise  
2 dispose of nor receive, purchase or otherwise acquire an antique  
3 cannon or a rifle or shotgun, other than an antique rifle or shotgun,  
4 unless the purchaser, assignee, donee, receiver or holder is licensed  
5 as a dealer under this chapter or possesses a valid, current firearms  
6 purchaser identification card, and first exhibits the card to the seller,  
7 donor, transferor or assignor, and unless the purchaser, assignee,  
8 donee, receiver or holder signs a written certification, on a form  
9 prescribed by the superintendent, which shall indicate that he  
10 presently complies with the requirements of subsection c. of this  
11 section and shall contain his name, address and firearms purchaser  
12 identification card number or dealer's registration number. The  
13 certification shall be retained by the seller, as provided in paragraph  
14 (4) of subsection a. of N.J.S.2C:58-2, or, in the case of a person  
15 who is not a dealer, it may be filed with the chief of police of the  
16 municipality in which he resides or with the superintendent.

17 (2) A person who is not a licensed retail dealer and sells, gives,  
18 transfers, assigns, or otherwise disposes of, or receives, purchases  
19 or otherwise acquires an antique cannon or a rifle or shotgun  
20 pursuant to this section shall conduct the transaction through a  
21 licensed retail dealer.

22 The provisions of this paragraph shall not apply if the transaction  
23 is:

24 (a) between members of an immediate family as defined in  
25 subsection n. of this section;

26 (b) between law enforcement officers;

27 (c) between collectors of firearms or ammunition as curios or  
28 relics as defined in Title 18, U.S.C. section 921 (a) (13) who have  
29 in their possession a valid Collector of Curios and Relics License  
30 issued by the Bureau of Alcohol, Tobacco, Firearms, and  
31 Explosives; or

32 (d) a temporary transfer pursuant to section 1 of P.L.1992,  
33 c.74 (C.2C:58-3.1) and section 1 of P.L.1997, c.375 (C.2C:58-3.2).

34 (3) Prior to a transaction conducted pursuant to this subsection,  
35 the retail dealer shall complete a National Instant Criminal  
36 Background Check of the person acquiring an antique cannon or a  
37 rifle or shotgun. In addition:

38 (a) the retail dealer shall submit to the Superintendent of State  
39 Police, on a form approved by the superintendent, information  
40 identifying and confirming the background check;

41 (b) every retail dealer shall maintain a record of transactions  
42 conducted pursuant to this section which shall be maintained at the  
43 address set forth on the retail dealer's license for inspection by a law  
44 enforcement officer during reasonable hours;

45 (c) a retail dealer may charge a fee for a transaction conducted  
46 pursuant to this subsection; and

1 (d) any record produced pursuant to this subsection shall not be  
2 considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et  
3 seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

4 c. Who may obtain. No person of good character and good  
5 repute in the community in which he lives, and who is not subject to  
6 any of the disabilities set forth in this section or other sections of  
7 this chapter, shall be denied a permit to purchase a handgun or a  
8 firearms purchaser identification card, except as hereinafter set  
9 forth. No handgun purchase permit or firearms purchaser  
10 identification card shall be issued:

11 (1) To any person who has been convicted of any crime, or a  
12 disorderly persons offense involving an act of domestic violence as  
13 defined in section 3 of P.L.1991, c.261 (C.2C:25-19), whether or  
14 not armed with or possessing a weapon at the time of the offense;

15 (2) To any drug dependent person as defined in section 2 of  
16 P.L.1970, c.226 (C.24:21-2), to any person who is confined for a  
17 mental disorder to a hospital, mental institution or sanitarium, or to  
18 any person who is presently an habitual drunkard;

19 (3) To any person who suffers from a physical defect or disease  
20 which would make it unsafe for him to handle firearms, to any  
21 person who has ever been confined for a mental disorder, or to any  
22 alcoholic unless any of the foregoing persons produces a certificate  
23 of a medical doctor or psychiatrist licensed in New Jersey, or other  
24 satisfactory proof, that he is no longer suffering from that particular  
25 disability in a manner that would interfere with or handicap him in  
26 the handling of firearms; to any person who knowingly falsifies any  
27 information on the application form for a handgun purchase permit  
28 or firearms purchaser identification card;

29 (4) To any person under the age of 18 years for a firearms  
30 purchaser identification card and to any person under the age of 21  
31 years for a permit to purchase a handgun;

32 (5) To any person where the issuance would not be in the  
33 interest of the public health, safety or welfare;

34 (6) To any person who is subject to a restraining order issued  
35 pursuant to the "Prevention of Domestic Violence Act of 1991,"  
36 P.L.1991, c.261 (C.2C:25-17 et seq.) prohibiting the person from  
37 possessing any firearm;

38 (7) To any person who as a juvenile was adjudicated delinquent  
39 for an offense which, if committed by an adult, would constitute a  
40 crime and the offense involved the unlawful use or possession of a  
41 weapon, explosive or destructive device or is enumerated in  
42 subsection d. of section 2 of P.L.1997, c.117 (C.2C:43-7.2);

43 (8) To any person whose firearm is seized pursuant to the  
44 "Prevention of Domestic Violence Act of 1991," P.L.1991,  
45 c.261 (C.2C:25-17 et seq.) and whose firearm has not been  
46 returned; or

1 (9) To any person named on the consolidated Terrorist Watchlist  
2 maintained by the Terrorist Screening Center administered by the  
3 Federal Bureau of Investigation; or

4 (10) To any person who is subject to a court order prohibiting the  
5 custody, control, ownership, purchase, possession, or receipt of a  
6 firearm or ammunition issued pursuant to the "Extreme Risk  
7 Protective Order Act of 2018," P.L.2018, c.35 (C.2C:58-20 et al.).

8 In order to obtain an initial permit to purchase a handgun or a  
9 firearms purchaser identification card, the applicant shall  
10 demonstrate that, within four years prior to the date of the initial  
11 application, the applicant satisfactorily completed a course of  
12 instruction approved by the superintendent in the lawful and safe  
13 handling and storage of firearms. An applicant who is a law  
14 enforcement officer who has satisfied the requirements of  
15 subsection j. of N.J.S.2C:39-6, a retired law enforcement officer  
16 who has satisfied the requirements of subsection 1. of N.J.S.2C:39-  
17 6, or a veteran who was honorably discharged as a member of the  
18 United States Armed Forces or National Guard who received  
19 substantially equivalent training shall not be required to complete  
20 the course of instruction required pursuant to the provisions of this  
21 subsection. A person who obtained a permit to purchase a handgun  
22 or a firearms purchaser identification card prior to the effective date  
23 of P.L. , c. (pending before the Legislature as this bill) shall not  
24 be required to completed a course of instruction pursuant to this  
25 subsection.

26 d. Issuance. The chief of police of an organized full-time  
27 police department of the municipality where the applicant resides or  
28 the superintendent, in all other cases, shall upon application, issue  
29 to any person qualified under the provisions of subsection c. of this  
30 section a permit to purchase a handgun or a firearms purchaser  
31 identification card.

32 Any person aggrieved by the denial of a permit or identification  
33 card may request a hearing in the Superior Court of the county in  
34 which he resides if he is a resident of New Jersey or in the Superior  
35 Court of the county in which his application was filed if he is a  
36 nonresident. The request for a hearing shall be made in writing  
37 within 30 days of the denial of the application for a permit or  
38 identification card. The applicant shall serve a copy of his request  
39 for a hearing upon the chief of police of the municipality in which  
40 he resides, if he is a resident of New Jersey, and upon the  
41 superintendent in all cases. The hearing shall be held and a record  
42 made thereof within 30 days of the receipt of the application for a  
43 hearing by the judge of the Superior Court. No formal pleading and  
44 no filing fee shall be required as a preliminary to a hearing.  
45 Appeals from the results of a hearing shall be in accordance with  
46 law.

47 e. Applications. Applications for permits to purchase a  
48 handgun and for firearms purchaser identification cards shall be in

1 the form prescribed by the superintendent and shall set forth the  
2 name, residence, place of business, age, date of birth, occupation,  
3 sex and physical description, including distinguishing physical  
4 characteristics, if any, of the applicant, and shall state whether the  
5 applicant is a citizen, whether he is an alcoholic, habitual drunkard,  
6 drug dependent person as defined in section 2 of P.L.1970,  
7 c.226 (C.24:21-2), whether he has ever been confined or committed  
8 to a mental institution or hospital for treatment or observation of a  
9 mental or psychiatric condition on a temporary, interim or  
10 permanent basis, giving the name and location of the institution or  
11 hospital and the dates of confinement or commitment, whether he  
12 has been attended, treated or observed by any doctor or psychiatrist  
13 or at any hospital or mental institution on an inpatient or outpatient  
14 basis for any mental or psychiatric condition, giving the name and  
15 location of the doctor, psychiatrist, hospital or institution and the  
16 dates of the occurrence, whether he presently or ever has been a  
17 member of any organization which advocates or approves the  
18 commission of acts of force and violence to overthrow the  
19 Government of the United States or of this State, or which seeks to  
20 deny others their rights under the Constitution of either the United  
21 States or the State of New Jersey, whether he has ever been  
22 convicted of a crime or disorderly persons offense, whether the  
23 person is subject to a restraining order issued pursuant to the  
24 "Prevention of Domestic Violence Act of 1991," P.L.1991,  
25 c.261 (C.2C:25-17 et seq.) prohibiting the person from possessing  
26 any firearm, whether the person is subject to a protective order  
27 issued pursuant to the "Extreme Risk Protective Order Act of  
28 2018," P.L.2018, c.35 (C.2C:58-20 et al.) prohibiting the person  
29 from possessing any firearm, and other information as the  
30 superintendent shall deem necessary for the proper enforcement of  
31 this chapter. For the purpose of complying with this subsection, the  
32 applicant shall waive any statutory or other right of confidentiality  
33 relating to institutional confinement. The application shall be  
34 signed by the applicant and shall contain as references the names  
35 and addresses of two reputable citizens personally acquainted with  
36 him.

37 Application blanks shall be obtainable from the superintendent,  
38 from any other officer authorized to grant a permit or identification  
39 card, and from licensed retail dealers.

40 The chief police officer or the superintendent shall obtain the  
41 fingerprints of the applicant and shall have them compared with any  
42 and all records of fingerprints in the municipality and county in  
43 which the applicant resides and also the records of the State Bureau  
44 of Identification and the Federal Bureau of Investigation, provided  
45 that an applicant for a handgun purchase permit who possesses a  
46 valid firearms purchaser identification card, or who has previously  
47 obtained a handgun purchase permit from the same licensing  
48 authority for which he was previously fingerprinted, and who

1 provides other reasonably satisfactory proof of his identity, need not  
2 be fingerprinted again; however, the chief police officer or the  
3 superintendent shall proceed to investigate the application to  
4 determine whether or not the applicant has become subject to any of  
5 the disabilities set forth in this chapter.

6 f. Granting of permit or identification card; fee; term; renewal;  
7 revocation. The application for the permit to purchase a handgun  
8 together with a fee of \$2, or the application for the firearms  
9 purchaser identification card together with a fee of \$5, shall be  
10 delivered or forwarded to the licensing authority who shall  
11 investigate the same and, unless good cause for the denial thereof  
12 appears, shall grant the permit or the identification card, or both, if  
13 application has been made therefor, within 30 days from the date of  
14 receipt of the application for residents of this State and within 45  
15 days for nonresident applicants. A permit to purchase a handgun  
16 shall be valid for a period of 90 days from the date of issuance and  
17 may be renewed by the issuing authority for good cause for an  
18 additional 90 days. A firearms purchaser identification card issued  
19 after the effective date of P.L. \_\_\_\_\_, c. \_\_\_\_\_ (pending before the  
20 Legislature as this bill) shall be valid **【until such】** for a period of  
21 four years from the date of issuance, unless during that time 【as】  
22 the holder becomes subject to any of the disabilities set forth in  
23 subsection c. of this section, whereupon the card shall be void and  
24 shall be returned within five days by the holder to the  
25 superintendent, who shall then advise the licensing authority.  
26 Failure of the holder to return the firearms purchaser identification  
27 card to the superintendent within the five days shall be an offense  
28 under subsection a. of N.J.S.2C:39-10. Any firearms purchaser  
29 identification card may be revoked by the Superior Court of the  
30 county wherein the card was issued, after hearing upon notice, upon  
31 a finding that the holder thereof no longer qualifies for the issuance  
32 of the permit. The county prosecutor of any county, the chief police  
33 officer of any municipality or any citizen may apply to the court at  
34 any time for the revocation of the card. A firearms purchaser  
35 identification card issued after the effective date of P.L. \_\_\_\_\_,  
36 c. \_\_\_\_\_ (pending before the Legislature as this bill) may be renewed  
37 upon filing of a renewal application and payment of the required  
38 fee, provided that the holder is not subject to any of the disabilities  
39 set forth in subsection c. of this section and complies with all other  
40 applicable requirements as set forth in statute and regulation. A  
41 person who obtained a firearms purchaser identification card issued  
42 prior to the effective date of P.L. \_\_\_\_\_, c. \_\_\_\_\_ (pending before the  
43 Legislature as this bill) shall renew the card by the first day of the  
44 forty ninth month following the effective date of P.L. \_\_\_\_\_,  
45 c. \_\_\_\_\_ (pending before the Legislature as this bill).

46 There shall be no conditions or requirements added to the form  
47 or content of the application, or required by the licensing authority

1 for the issuance or renewal of a permit or identification card, other  
2 than those that are specifically set forth in this chapter.

3 g. Disposition of fees. All fees for permits shall be paid to the  
4 State Treasury if the permit is issued by the superintendent, to the  
5 municipality if issued by the chief of police, and to the county  
6 treasurer if issued by the judge of the Superior Court.

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

20 i. Restriction on number of firearms person may purchase.  
21 Only one handgun shall be purchased or delivered on each permit  
22 and no more than one handgun shall be purchased within any 30-  
23 day period, but this limitation shall not apply to:

24 (1) a federal, State, or local law enforcement officer or agency  
25 purchasing handguns for use by officers in the actual performance  
26 of their law enforcement duties;

27 (2) a collector of handguns as curios or relics as defined in Title  
28 18, United States Code, section 921 (a) (13) who has in his  
29 possession a valid Collector of Curios and Relics License issued by  
30 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

31 (3) transfers of handguns among licensed retail dealers,  
32 registered wholesale dealers and registered manufacturers;

33 (4) transfers of handguns from any person to a licensed retail  
34 dealer or a registered wholesale dealer or registered manufacturer;

35 (5) any transaction where the person has purchased a handgun  
36 from a licensed retail dealer and has returned that handgun to the  
37 dealer in exchange for another handgun within 30 days of the  
38 original transaction, provided the retail dealer reports the exchange  
39 transaction to the superintendent; or

40 (6) any transaction where the superintendent issues an  
41 exemption from the prohibition in this subsection pursuant to the  
42 provisions of section 4 of P.L.2009, c.186 (C.2C:58-3.4).

43 The provisions of this subsection shall not be construed to afford  
44 or authorize any other exemption from the regulatory provisions  
45 governing firearms set forth in chapter 39 and chapter 58 of Title  
46 2C of the New Jersey Statutes;

47 A person shall not be restricted as to the number of rifles or  
48 shotguns he may purchase, provided he possesses a valid firearms



1 purchaser identification card and provided further that he signs the  
2 certification required in subsection b. of this section for each  
3 transaction.

4 j. Firearms passing to heirs or legatees. **【Notwithstanding any**  
5 **other provision of this section concerning the transfer, receipt or**  
6 **acquisition of a firearm, a】 Except as otherwise provided in this**  
7 **subsection, a permit to purchase or a firearms purchaser**  
8 **identification card shall **【not】** be required for the passing of a**  
9 **firearm upon the death of an owner thereof to his heir or legatee,**  
10 **whether the same be by testamentary bequest or by the laws of**  
11 **intestacy**【. The】**, and the person who shall so receive, or acquire**  
12 **the firearm shall **【, however,】** be subject to all other provisions of**  
13 **this chapter. **【If the heir or legatee of the firearm does not qualify to****  
14 **possess or carry it, he may retain ownership of the firearm for the**  
15 **purpose of sale for a period not exceeding 180 days, or for a further**  
16 **limited period as may be approved by the chief law enforcement**  
17 **officer of the municipality in which the heir or legatee resides or the**  
18 **superintendent, provided that the firearm is in the custody of the**  
19 **chief law enforcement officer of the municipality or the**  
20 **superintendent during that period.】**

21 (1) Upon the death of the owner of a firearm, the administrator or  
22 executor of the estate who does not possess a valid firearms  
23 purchaser identification card or permit to purchase a handgun shall  
24 surrender custody of the firearm within 30 days to the chief law  
25 enforcement officer of the municipality in which the decedent  
26 resided or, if the municipality does not have a police department or  
27 force, the superintendent. The chief law enforcement officer or  
28 superintendent, as appropriate, shall retain custody of the firearm  
29 until the heir or legatee obtains a valid permit to purchase a  
30 handgun or firearms purchaser identification card. If the heir or  
31 legatee does not obtain a permit to purchase a handgun or firearms  
32 purchaser identification card, the heir or legatee shall sell the  
33 firearm to a licensed retail dealer or arrange for the sale of the  
34 firearm by the licensed retail dealer. The licensed retail dealer shall  
35 provide the heir or legatee with a receipt and shall record the date of  
36 surrender, the name of the heir or legatee, and the serial number,  
37 manufacturer, and model of the surrendered firearm.

38 (2) An heir or legatee who possesses a valid permit to purchase a  
39 handgun or firearms purchaser identification card may take  
40 possession of the firearm directly from the administrator or  
41 executor of the estate or from the chief law enforcement officer or  
42 superintendent, as appropriate, if the heir or legatee files a signed  
43 certification in a form prescribed by the superintendent. The  
44 certification shall set forth the name, address, and firearms  
45 purchaser identification card or permit to purchase a handgun  
46 number of the heir or legatee and certify that the heir or legatee  
47 currently complies with the requirements in subsection c. of this

1 section . The certification shall be filed with the chief law  
2 enforcement officer of the municipality in which the decedent  
3 resided or, if there is no chief law enforcement officer, the  
4 superintendent.

5 k. Sawed-off shotguns. Nothing in this section shall be  
6 construed to authorize the purchase or possession of any sawed-off  
7 shotgun.

8 l. Nothing in this section and in N.J.S.2C:58-2 shall apply to  
9 the sale or purchase of a visual distress signalling device approved  
10 by the United States Coast Guard, solely for possession on a private  
11 or commercial aircraft or any boat; provided, however, that no  
12 person under the age of 18 years shall purchase nor shall any person  
13 sell to a person under the age of 18 years a visual distress signalling  
14 device.

15 m. The provisions of subsections a. and b. of this section and  
16 paragraphs (4) and (5) of subsection a. of N.J.S.2C:58-2 shall not  
17 apply to the purchase of firearms by a law enforcement agency for  
18 use by law enforcement officers in the actual performance of the  
19 officers' official duties, which purchase may be made directly from  
20 a manufacturer or from a licensed dealer located in this State or any  
21 other state.

22 n. For the purposes of this section, "immediate family" means a  
23 spouse, domestic partner as defined in section 3 of P.L.2003,  
24 c.246 (C.26:8A-3), partner in a civil union couple as defined in  
25 section 2 of P.L.2006, c.103 (C.37:1-29), parent, stepparent,  
26 grandparent, sibling, stepsibling, child, stepchild, and grandchild, as  
27 related by blood or by law.  
28 (cf: P.L.2018, c.36, s.1)

29  
30 2. This act shall take effect immediately.

31

32

33

#### STATEMENT

34

35 This bill imposes additional safeguards on the issuance of  
36 firearms purchaser identification cards, imposes training  
37 requirements, and revises the procedures for an heir or legatee to  
38 inherit or receive possession of a firearm.

39 The bill provides that a firearms purchaser identification card  
40 issued after the bill's effective date would be valid for a period of  
41 four years from the date of issuance. Under current law, a firearms  
42 purchaser identification card is valid indefinitely, unless the holder  
43 becomes subject to any of the disabilities that disqualify a person  
44 for firearms ownership. The bill further provides that a firearms  
45 purchaser identification card may be renewed if the holder is not  
46 subject to any of the statutory disabilities and after filing of a  
47 renewal application and payment of the required fee. The holder of  
48 a firearms purchaser identification card issued prior to the bill's

1 effective date would be required to renew the card within four years  
2 of the bill's enactment.

3 In addition, this bill requires certain applicants for a permit to  
4 purchase a handgun or a firearms purchaser identification card to  
5 demonstrate that, within four years prior to the date of the  
6 application, he or she satisfactorily completed a course of  
7 instruction approved by the Superintendent of State Police in the  
8 lawful and safe handling and storage of firearms. This provision is  
9 not applicable to an active or retired law enforcement officer or a  
10 veteran who was honorably discharged as a member of the United  
11 States Armed Forces or National Guard and who received  
12 substantially equivalent training. A person who obtained a permit  
13 to purchase a handgun or firearms purchaser identification card  
14 prior to the bill's effective date would not be required to complete a  
15 course of instruction.

16 Under current law, a permit to purchase a handgun or a firearms  
17 purchaser identification card is not required for the passing of a  
18 firearm to an heir or legatee upon the death of the owner, whether  
19 the firearm is passed by testamentary bequest or by the laws of  
20 intestacy. This bill requires the heir or legatee to possess a permit  
21 to purchase a handgun or a firearms purchaser identification card  
22 prior to taking possession of the firearm. An administrator or  
23 executor of the estate who does not possess a valid firearms  
24 purchaser identification card or permit to purchase a handgun is to  
25 surrender custody of the firearm within 30 days to the chief law  
26 enforcement officer of the municipality in which the decedent  
27 resided or, if municipality does not have a police department or  
28 force, the superintendent. The chief law enforcement officer or  
29 superintendent, as appropriate, would retain custody of the firearm  
30 until the heir or legatee obtains a valid permit to purchase a  
31 handgun or firearms purchaser identification card. If the heir or  
32 legatee does not obtain a permit to purchase a handgun or firearms  
33 purchaser identification card, the heir or legatee is required to sell  
34 the firearm to a licensed retail dealer of firearms or arrange for the  
35 sale of the firearm by the licensed retail dealer. The licensed retail  
36 dealer is to provide the heir or legatee with a receipt and record the  
37 date of surrender, the name of the heir or legatee, and the serial  
38 number, manufacturer, and model of the surrendered firearm.

39 The bill permits an heir or legatee who possesses a valid permit  
40 to purchase a handgun or firearms purchaser identification card to  
41 take possession of the firearm directly from the administrator or  
42 executor of the estate or from the chief law enforcement officer or  
43 superintendent, as appropriate, if the heir or legatee files a signed  
44 certification as prescribed by the superintendent. The certification  
45 would be filed with the chief law enforcement officer of the  
46 municipality in which the decedent resided or, if there is no chief  
47 law enforcement officer, the superintendent.