

[First Reprint]

SENATE, No. 101

STATE OF NEW JERSEY
218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

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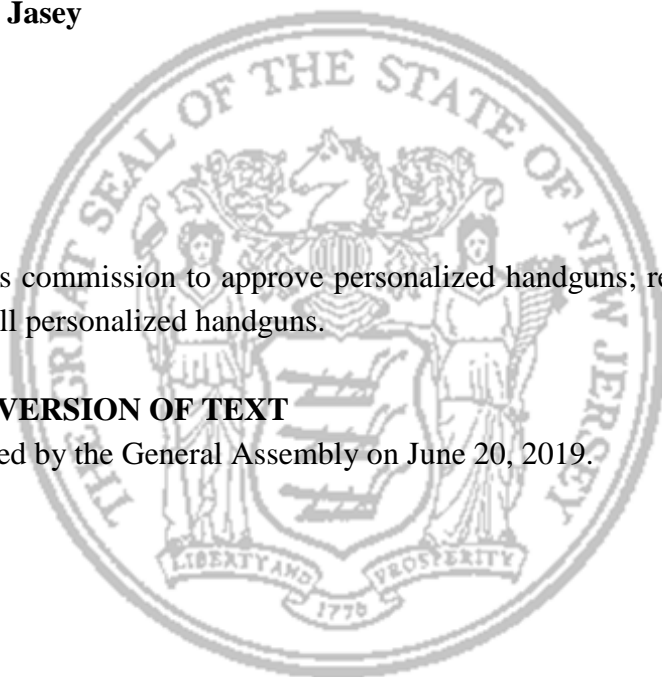
**Senators Ruiz, Gopal, Assemblyman Giblin, Assemblywomen Pintor
Marin, Tucker, Murphy, Assemblyman Greenwald, Assemblywomen
Downey and Jasey**

SYNOPSIS

Establishes commission to approve personalized handguns; requires firearm retailers to sell personalized handguns.

CURRENT VERSION OF TEXT

As amended by the General Assembly on June 20, 2019.



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

1 AN ACT concerning personalized handguns and revising various
2 parts of the statutory law.

3

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

6

7 1. (New section) a. There is established in the Department of
8 Law and Public Safety, a commission which shall be known as the
9 Personalized Handgun Authorization Commission. The commission
10 shall be responsible for establishing performance standards for
11 personalized handguns and maintaining a roster of personalized
12 handguns authorized for sale to the public pursuant to this act.

13 b. The commission shall consist of seven members as follows:

14 (1) as ex-officio members, the Attorney General or a designee;
15 the Superintendent of State Police or a designee; the Commissioner
16 of Health or a designee;

17 (2) as public members appointed by the Governor:

18 (a) one member of the American Academy of Pediatrics;

19 (b) one member who shall be a resident of this State who is a
20 licensed firearms wholesaler, manufacturer, or retail dealer as
21 defined in N.J.S.2C:39-1, or a resident of this State who is a
22 representative of a New Jersey chapter of an organization that
23 advocates for Second Amendment rights;

24 (c) one member who shall be a representative of an organization
25 that advocates against handgun violence; and

26 (d) one member ¹**[who shall be an engineer]**¹ with substantial
27 experience in radio frequency identification or biometric reading
28 technology.

29 c. All appointments to the commission shall be made within six
30 months of the effective date of this act. The chair of the
31 commission shall be selected from among its members by the
32 Governor. Members of the commission shall serve a term of four
33 years from the date of their appointment and until their successors
34 are appointed. Vacancies in the membership of the commission
35 shall be filled in the same manner as the original appointments were
36 made.

37 d. Members of the commission shall serve without compensation,
38 but shall be reimbursed for necessary expenses incurred in the
39 performance of their duties as members of the commission, and within
40 the limits of funds appropriated or otherwise made available to the
41 commission for its purpose.

42 e. The commission shall be entitled to call to its assistance and
43 avail itself of the services of the employees of any State, county, or
44 municipal department, board, bureau, commission, or agency as it may
45 require and as may be available to it for its purposes.

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:

¹Assembly floor amendments adopted June 20, 2019.

1 f. During the first year following the establishment of the
2 commission, it shall meet monthly in order to comply with the
3 provisions of P.L. , c. (C.) (pending before the Legislature
4 as this bill); thereafter, the commission shall meet once every six
5 months or at the call of the chairman of the commission or the
6 majority of its members.

7
8 2. (New section) a. ¹As used in this act, “authorized user”
9 means the lawful owner of a personalized handgun or person to
10 whom the owner has given consent to use the personalized handgun.

11 b.¹ The Personalized Handgun Authorization Commission shall
12 maintain a roster of all personalized handguns approved ¹[for retail
13 sales to the public] by the commission as meeting the personalized
14 handgun performance standards and qualifying criteria established
15 pursuant to this section¹. The roster of approved personalized
16 handguns shall be published on a website maintained by the New
17 Jersey State Police and shall be updated ¹[every six months] as
18 necessary¹. A copy of the roster shall be made available every six
19 months to registered and licensed firearms dealers in this State.

20 ¹[b.] c.¹ Within one year of organizing, the commission shall
21 develop personalized handgun performance standards ¹and
22 qualifying criteria¹ which a personalized handgun shall meet in
23 order to be placed on the personalized handgun roster.

24 The personalized handgun performance standards ¹and
25 qualifying criteria¹ shall include, but not be limited to, the
26 following:

27 (1) the handgun shall be reasonably resistant to being fired by
28 anyone other than the handgun’s authorized user as defined in
29 N.J.S.2C:39-1;

30 (2) the personalized technology shall be incorporated into the
31 design of the personalized handgun and shall be a permanent,
32 irremovable part of the handgun and any device or object necessary
33 for the authorized user to fire the handgun;

34 (3) the personalized handgun shall not be manufactured so as to
35 permit the personalized characteristics of the handgun to be readily
36 deactivated; and

37 (4) the personalized handgun shall meet any other reliability
38 standards generally used in the industry for other commercially
39 available handguns.

40 ¹[c.] d.¹ The commission shall recommend to the Attorney
41 General any rule, regulation, guideline or revision thereto, or
42 legislation which it deems necessary to establish a process by which
43 handgun manufactures may request that their handguns be added to
44 the roster established pursuant to this section.

45
46 3. (New section) a. ¹[The commission shall identify and
47 approve a list of independent laboratories which shall be used to

1 determine] A manufacturer or other entity seeking to include a
2 handgun on the approved personalized handgun roster established
3 pursuant to P.L. , c. (C.) (pending before the Legislature as
4 this bill) may apply to the commission for a determination of¹
5 whether ¹[handguns comply with] the make and model of a
6 handgun proposed by the applicant would meet¹ the personalized
7 handgun performance standards established pursuant to section 2 of
8 P.L. , c. (C.) (pending before the Legislature as this bill).
9 ¹[At least one independent laboratory shall be identified and
10 included on the list of approved laboratories within one year of the
11 commission's organization. An approved] The commission's
12 determination shall be based upon testing conducted by an
13 independent laboratory proposed by the applicant which has been
14 accredited for the testing of firearms by the National Voluntary
15 Laboratory Accreditation Program or other national certifying body
16 approved by the commission or, if the applicant does not propose an
17 independent laboratory or if one is not approved or available, by the
18 Division of State Police.

19 b. The commission shall approve an independent¹ laboratory
20 ¹[shall not be] proposed by an applicant to perform the
21 determination pursuant to subsection a. of this section if the
22 commission is clearly convinced that the laboratory is capable of
23 performing the determination and will be sufficiently objective
24 making the determination, provided that the laboratory shall not be¹
25 owned or operated by a handgun manufacturer or any other
26 organization that seeks to promote or restrict handgun ownership.

27 ¹[b. An independent laboratory may apply to the commission
28 for inclusion on the list of approved laboratories.]¹ The application
29 ¹for approval of an independent laboratory to perform the
30 determination pursuant to subsection a. of this section¹ shall be in a
31 form prescribed by the Attorney General, in consultation with the
32 commission, and shall provide information regarding the
33 laboratory's capabilities and objectivity. ¹[Once approved]

34 c. If the commission approves the application¹ , the laboratory
35 shall utilize testing methods formulated by the commission to
36 determine whether a handgun ¹[is in compliance with] meets the¹
37 personalized handgun performance standards ¹and qualifying
38 criteria¹
39 established pursuant to section 2 of P.L. , c. (C.) (pending
40 before the Legislature as this bill).

41 ¹[c. An] The¹ independent laboratory ¹or Division of State
42 Police, as the case may be,¹ shall test a handgun within a reasonable
43 amount of time following ¹[a request made] approval of the
44 application¹ by the commission. The test shall be conducted:

45 (1) in accordance with the testing requirements formulated by
46 the commission; and

1 (2) at the expense of the manufacturer or other entity seeking to
2 include the handgun on the approved personalized handgun roster
3 established pursuant to P.L. , c. (C.) (pending before the
4 Legislature as this bill).

5 The independent laboratory ¹or Division of State Police, as the
6 case may be,¹ shall issue a final test report to the commission at the
7 conclusion of the test. The report shall state whether the handgun
8 meets the ¹performance standards and qualifying¹ criteria
9 established by the commission.

10 d. The commission shall review the final test report and based
11 on the report's findings shall issue, within 45 days of receiving the
12 report, a final decision by majority vote as to whether the handgun
13 should be included on the roster.

14 e. Upon making a final determination pursuant to subsection d.
15 of this section, the commission shall notify, in writing, the
16 ¹**["manufacturer] applicant**¹ as to whether the handgun has been
17 approved or denied for inclusion on the roster. A notification
18 informing the ¹**["manufacturer] applicant**¹ that a firearm has been
19 denied shall be provided along with a written description of the
20 reasons for which a handgun failed to ¹**["satisfy] meet**¹ the
21 ¹performance standards and qualifying¹ criteria established by the
22 commission as documented in the independent laboratory's report.
23 ¹**["Once notified that] Any alteration to the design of**¹ a make and
24 model of handgun ¹that¹ has been approved for addition on the
25 roster ¹**["], a manufacturer, seller, or possessor shall not alter the**
26 **design of the handgun in a manner that it no longer meets]** shall
27 require a determination that the handgun continues to meet¹ the
28 performance ¹**["standard] standards and qualifying criteria**¹
29 established by the commission ¹in accordance with the requirements
30 of this section in order to include the altered design model of the
31 handgun on the roster¹.

32
33 4. (New section) a. Within 60 days of the first personalized
34 handgun being included on the roster established pursuant to section
35 2 of P.L. , c. (C.) (pending before the Legislature as this
36 bill), each licensed firearms retail dealer shall ¹**["have on the retail**
37 **premises]**¹:

38 (1) ¹make available for purchase¹ at least one personalized
39 handgun approved by the commission and listed on the roster as
40 eligible for sale;

41 (2) ¹**["an original exemption certificate issued pursuant to section**
42 **5 of P.L. , c. (C.) (pending before the Legislature as this**
43 **bill); or**

44 (3) a notarized copy of a pending application for an exemption
45 **certificate]** post in one or more locations in the dealer's place or

1 places of business in a conspicuous manner that makes them easily
2 visible and accessible to customers:

- 3 (a) copies of the personalized handgun roster; and
4 (b) a sign that includes a clear and conspicuous statement
5 disclosing the features of personalized handguns that are not offered
6 by traditional handguns and advising customers that such firearms
7 may be purchased through the licensed retail dealer; and
8 (3) accept and process orders to enable customers to purchase
9 through the licensed retail dealer any of the personalized handguns
10 included on the roster¹.

11 b. A personalized handgun offered for sale by a licensed retail
12 dealer 1pursuant to paragraph (1) of subsection a. of this section¹
13 shall be displayed in a conspicuous manner that makes it easily
14 visible to customers and distinguishable from other traditional
15 handguns. A licensed retail dealer shall post a sign 1pursuant to
16 subparagraph (b) of paragraph (2) of subsection a. of this section¹ in
17 close proximity to each personalized handgun 1that includes a
18 clear and conspicuous statement disclosing the unique features of
19 the personalized handgun that are not offered by traditional
20 handguns¹.

21 c. In the event that a licensed retail dealer's inventory of
22 personalized handguns is depleted and there are no personalized
23 handguns available for purchase on the premises, the licensed retail
24 dealer shall:

- 25 (1) place an order for at least one personalized handgun within
26 21 days of the sale of the last personalized handgun;
27 (2) maintain written records of the retail dealer's efforts to place
28 an order and maintain those records on the premises and allow them
29 to be open for inspection at all times; and
30 (3) 1maintain post¹ a sign on the premises indicating that
31 personalized handguns are routinely sold on the retail dealer's
32 premises and will soon be available for purchase.

33 d. A licensed firearms retail dealer shall not make any claim
34 that a handgun has been approved by the commission as meeting the
35 performance standards 1or qualifying criteria¹ for personalized
36 handguns if that handgun is not included on the roster established
37 pursuant to section 2 of P.L. , c. (C.) (pending before the
38 Legislature as this bill).

39 e. The Superintendent of State Police shall designate officers to
40 inspect the personalized handgun inventory and records of all
41 licensed firearms retailers. The inspections shall be conducted at
42 least once every two years at any time during the normal business
43 hours of the firearm retailer's business.

44
45 ¹5. (New section) a. Upon application by a licensed retail
46 dealer demonstrating that offering a personalized handgun for sale
47 State Police may issue a certificate exempting the licensed retail

1 dealer from the requirement to offer a personalized handgun for sale
2 established pursuant to P.L. , c. (C.) (pending before the
3 Legislature as this bill). In determining whether an exemption shall
4 be granted, the superintendent may consider factors including, but
5 not limited to, the retail dealer's inventory size and annual sales
6 revenue or income generated from customer purchases.

7 b. A firearm retail dealer who can demonstrate that its firearm
8 inventory consists solely of firearms other than handguns shall
9 automatically be granted an exemption pursuant to this section.

10 c. A firearm retail dealer shall maintain an original copy of the
11 exemption certificate issued pursuant to section 5 of P.L. ,
12 c. (C.) (pending before the Legislature as this bill) on the
13 retail premises at all times.】¹

14

15 ¹【6.】 5.¹ (New section) a. A licensed retail dealer who ¹【has
16 not been issued an exemption certificate pursuant to section 5 of
17 P.L. , c. (C.) (pending before the Legislature as this bill)
18 and】¹ violates section 4 of P.L. , c. (C.) (pending before
19 the Legislature as this bill) shall be subject to the following
20 penalties:

21 (1) for a first offense, a fine of up to \$500;

22 (2) for a second offense, a fine of up to \$1,000;

23 (3) for a third or subsequent offense, a six month license
24 suspension following notice to the licensed retail dealer and
25 opportunity to be heard.

26 b. Any person who ¹【violates the provisions of P.L. ,
27 c. (C.) (pending before the Legislature as this bill) by
28 tampering or attempting】 , without license or privilege to do so,
29 tampers or attempts¹ to tamper with a personalized handgun by
30 intentionally interfering with the user-authorized functionality of
31 the personalized technology shall be guilty of a disorderly persons
32 offense.

33

34 ¹【7. N.J.S.2C:39-1 is amended to read as follows:

35 2C:39-1. Definitions. The following definitions apply to this
36 chapter and to chapter 58:

37 a. "Antique firearm" means any rifle or shotgun and "antique
38 cannon" means a destructive device defined in paragraph (3) of
39 subsection c. of this section, if the rifle, shotgun or destructive
40 device, as the case may be, is incapable of being fired or
41 discharged, or which does not fire fixed ammunition, regardless of
42 date of manufacture, or was manufactured before 1898 for which
43 cartridge ammunition is not commercially available, and is
44 possessed as a curiosity or ornament or for its historical
45 significance or value.

46 b. "Deface" means to remove, deface, cover, alter or destroy
47 the name of the maker, model designation, manufacturer's serial

1 number or any other distinguishing identification mark or number
2 on any firearm.

3 c. "Destructive device" means any device, instrument or object
4 designed to explode or produce uncontrolled combustion, including
5 (1) any explosive or incendiary bomb, mine or grenade; (2) any
6 rocket having a propellant charge of more than four ounces or any
7 missile having an explosive or incendiary charge of more than one-
8 quarter of an ounce; (3) any weapon capable of firing a projectile of
9 a caliber greater than 60 caliber, except a shotgun or shotgun
10 ammunition generally recognized as suitable for sporting purposes;
11 (4) any Molotov cocktail or other device consisting of a breakable
12 container containing flammable liquid and having a wick or similar
13 device capable of being ignited. The term does not include any
14 device manufactured for the purpose of illumination, distress
15 signaling, line-throwing, safety or similar purposes.

16 d. "Dispose of" means to give, give away, lease, loan, keep for
17 sale, offer, offer for sale, sell, transfer, or otherwise transfer
18 possession.

19 e. "Explosive" means any chemical compound or mixture that
20 is commonly used or is possessed for the purpose of producing an
21 explosion and which contains any oxidizing and combustible
22 materials or other ingredients in such proportions, quantities or
23 packing that an ignition by fire, by friction, by concussion or by
24 detonation of any part of the compound or mixture may cause such
25 a sudden generation of highly heated gases that the resultant
26 gaseous pressures are capable of producing destructive effects on
27 contiguous objects. The term shall not include small arms
28 ammunition, or explosives in the form prescribed by the official
29 United States Pharmacopoeia.

30 f. "Firearm" means any handgun, rifle, shotgun, machine gun,
31 automatic or semi-automatic rifle, or any gun, device or instrument
32 in the nature of a weapon from which may be fired or ejected any
33 solid projectable ball, slug, pellet, missile or bullet, or any gas,
34 vapor or other noxious thing, by means of a cartridge or shell or by
35 the action of an explosive or the igniting of flammable or explosive
36 substances. It shall also include, without limitation, any firearm
37 which is in the nature of an air gun, spring gun or pistol or other
38 weapon of a similar nature in which the propelling force is a spring,
39 elastic band, carbon dioxide, compressed or other gas or vapor, air
40 or compressed air, or is ignited by compressed air, and ejecting a
41 bullet or missile smaller than three-eighths of an inch in diameter,
42 with sufficient force to injure a person.

43 g. "Firearm silencer" means any instrument, attachment,
44 weapon or appliance for causing the firing of any gun, revolver,
45 pistol or other firearm to be silent, or intended to lessen or muffle
46 the noise of the firing of any gun, revolver, pistol or other firearm.

- 1 h. "Gravity knife" means any knife which has a blade which is
2 released from the handle or sheath thereof by the force of gravity or
3 the application of centrifugal force.
- 4 i. "Machine gun" means any firearm, mechanism or instrument
5 not requiring that the trigger be pressed for each shot and having a
6 reservoir, belt or other means of storing and carrying ammunition
7 which can be loaded into the firearm, mechanism or instrument and
8 fired therefrom.
- 9 j. "Manufacturer" means any person who receives or obtains
10 raw materials or parts and processes them into firearms or finished
11 parts of firearms, except a person who exclusively processes grips,
12 stocks and other nonmetal parts of firearms. The term does not
13 include a person who repairs existing firearms or receives new and
14 used raw materials or parts solely for the repair of existing firearms.
- 15 k. "Handgun" means any pistol, revolver or other firearm
16 originally designed or manufactured to be fired by the use of a
17 single hand.
- 18 l. "Retail dealer" means any person including a gunsmith,
19 except a manufacturer or a wholesale dealer, who sells, transfers or
20 assigns for a fee or profit any firearm or parts of firearms or
21 ammunition which he has purchased or obtained with the intention,
22 or for the purpose, of reselling or reassigning to persons who are
23 reasonably understood to be the ultimate consumers, and includes
24 any person who is engaged in the business of repairing firearms or
25 who sells any firearm to satisfy a debt secured by the pledge of a
26 firearm.
- 27 m. "Rifle" means any firearm designed to be fired from the
28 shoulder and using the energy of the explosive in a fixed metallic
29 cartridge to fire a single projectile through a rifled bore for each
30 single pull of the trigger.
- 31 n. "Shotgun" means any firearm designed to be fired from the
32 shoulder and using the energy of the explosive in a fixed shotgun
33 shell to fire through a smooth bore either a number of ball shots or a
34 single projectile for each pull of the trigger, or any firearm designed
35 to be fired from the shoulder which does not fire fixed ammunition.
- 36 o. "Sawed-off shotgun" means any shotgun having a barrel or
37 barrels of less than 18 inches in length measured from the breech to
38 the muzzle, or a rifle having a barrel or barrels of less than 16
39 inches in length measured from the breech to the muzzle, or any
40 firearm made from a rifle or a shotgun, whether by alteration, or
41 otherwise, if such firearm as modified has an overall length of less
42 than 26 inches.
- 43 p. "Switchblade knife" means any knife or similar device
44 which has a blade which opens automatically by hand pressure
45 applied to a button, spring or other device in the handle of the knife.
- 46 q. "Superintendent" means the Superintendent of the State
47 Police.

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

14 s. "Wholesale dealer" means any person, except a
15 manufacturer, who sells, transfers, or assigns firearms, or parts of
16 firearms, to persons who are reasonably understood not to be the
17 ultimate consumers, and includes persons who receive finished
18 parts of firearms and assemble them into completed or partially
19 completed firearms, in furtherance of such purpose, except that it
20 shall not include those persons dealing exclusively in grips, stocks
21 and other nonmetal parts of firearms.

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

25 u. "Ballistic knife" means any weapon or other device capable
26 of lethal use and which can propel a knife blade.

27 v. "Imitation firearm" means an object or device reasonably
28 capable of being mistaken for a firearm.

29 w. "Assault firearm" means:

30 (1) The following firearms:

31 Algimec AGM1 type

32 Any shotgun with a revolving cylinder such as the "Street
33 Sweeper" or "Striker 12"

34 Armalite AR-180 type

35 Australian Automatic Arms SAR

36 Avtomat Kalashnikov type semi-automatic firearms

37 Beretta AR-70 and BM59 semi-automatic firearms

38 Bushmaster Assault Rifle

39 Calico M-900 Assault carbine and M-900

40 CETME G3

41 Chartered Industries of Singapore SR-88 type

42 Colt AR-15 and CAR-15 series

43 Daewoo K-1, K-2, Max 1 and Max 2, AR 100 types

44 Demro TAC-1 carbine type

45 Encom MP-9 and MP-45 carbine types

46 FAMAS MAS223 types

47 FN-FAL, FN-LAR, or FN-FNC type semi-automatic firearms

48 Franchi SPAS 12 and LAW 12 shotguns

- 1 G3SA type
- 2 Galil type Heckler and Koch HK91, HK93, HK94, MP5, PSG-1
- 3 Intratec TEC 9 and 22 semi-automatic firearms
- 4 M1 carbine type
- 5 M14S type
- 6 MAC 10, MAC 11, MAC 11-9mm carbine type firearms
- 7 PJK M-68 carbine type
- 8 Plainfield Machine Company Carbine
- 9 Ruger K-Mini-14/5F and Mini-14/5RF
- 10 SIG AMT, SIG 550SP, SIG 551SP, SIG PE-57 types
- 11 SKS with detachable magazine type
- 12 Spectre Auto carbine type
- 13 Springfield Armory BM59 and SAR-48 type
- 14 Sterling MK-6, MK-7 and SAR types
- 15 Steyr A.U.G. semi-automatic firearms
- 16 USAS 12 semi-automatic type shotgun
- 17 Uzi type semi-automatic firearms
- 18 Valmet M62, M71S, M76, or M78 type semi-automatic firearms
- 19 Weaver Arm Nighthawk.
- 20 (2) Any firearm manufactured under any designation which is
- 21 substantially identical to any of the firearms listed above.
- 22 (3) A semi-automatic shotgun with either a magazine capacity
- 23 exceeding six rounds, a pistol grip, or a folding stock.
- 24 (4) A semi-automatic rifle with a fixed magazine capacity
- 25 exceeding 15 rounds.
- 26 (5) A part or combination of parts designed or intended to
- 27 convert a firearm into an assault firearm, or any combination of
- 28 parts from which an assault firearm may be readily assembled if
- 29 those parts are in the possession or under the control of the same
- 30 person.
- 31 x. "Semi-automatic" means a firearm which fires a single
- 32 projectile for each single pull of the trigger and is self-reloading or
- 33 automatically chambers a round, cartridge, or bullet.
- 34 y. "Large capacity ammunition magazine" means a box, drum,
- 35 tube or other container which is capable of holding more than 15
- 36 rounds of ammunition to be fed continuously and directly therefrom
- 37 into a semi-automatic firearm.
- 38 z. "Pistol grip" means a well-defined handle, similar to that
- 39 found on a handgun, that protrudes conspicuously beneath the
- 40 action of the weapon, and which permits the shotgun to be held and
- 41 fired with one hand.
- 42 aa. "Antique handgun" means a handgun manufactured before
- 43 1898, or a replica thereof, which is recognized as being historical in
- 44 nature or of historical significance and either (1) utilizes a match,
- 45 friction, flint, or percussion ignition, or which utilizes a pin-fire
- 46 cartridge in which the pin is part of the cartridge or (2) does not fire
- 47 fixed ammunition or for which cartridge ammunition is not
- 48 commercially available.

1 bb. "Trigger lock" means a commercially available device
2 approved by the Superintendent of State Police which is operated
3 with a key or combination lock that prevents a firearm from being
4 discharged while the device is attached to the firearm. It may
5 include, but need not be limited to, devices that obstruct the barrel
6 or cylinder of the firearm, as well as devices that immobilize the
7 trigger.

8 cc. "Trigger locking device" means a device that, if installed on
9 a firearm and secured by means of a key or mechanically,
10 electronically or electromechanically operated combination lock,
11 prevents the firearm from being discharged without first
12 deactivating or removing the device by means of a key or
13 mechanically, electronically or electromechanically operated
14 combination lock.

15 dd. "Personalized handgun" means a handgun which incorporates
16 within its design **【**, and as part of its original manufacture,
17 technology which automatically limits its operational use and which
18 cannot be readily deactivated, so that it may only be fired by an
19 authorized or recognized user. The technology limiting the
20 handgun's operational use may include, but not be limited to: radio
21 frequency tagging, touch memory, remote control, fingerprint,
22 magnetic encoding and other automatic user identification systems
23 utilizing biometric, mechanical or electronic systems**】** a permanent
24 programmable feature as part of its manufacture that cannot be
25 deactivated and renders the personalized handgun reasonably
26 resistant to being fired except when activated by the lawful owner
27 or other user authorized by the lawful owner. No make or model of
28 a handgun shall be deemed to be a "personalized handgun" unless
29 the **【**Attorney General**】** State Personalized Handgun Authorization
30 Commission has determined **【**, through testing or other reasonable
31 means, that the handgun meets any reliability standards that the
32 manufacturer may require for its commercially available handguns
33 that are not personalized or, if the manufacturer has no such
34 reliability standards,**】** the personalized handgun meets the
35 **【**reliability**】** standards **【**generally used in the industry for
36 commercially available handguns**】** established pursuant to section 3
37 of P.L. , c. (C.) (pending before the Legislature as this
38 bill).

39 ee. "Authorized user" means the owner of a personalized
40 handgun or a person to whom the owner has given consent to use
41 the personalized handgun.

42 (cf: P.L.2002, c.130, s.5)**】**¹

43
44 ¹6. N.J.S.2C:39-1 is amended to read as follows:

45 2C:39-1. Definitions. The following definitions apply to this
46 chapter and to chapter 58:

- 1 a. "Antique firearm" means any rifle or shotgun and "antique
2 cannon" means a destructive device defined in paragraph (3) of
3 subsection c. of this section, if the rifle, shotgun or destructive
4 device, as the case may be, is incapable of being fired or
5 discharged, or which does not fire fixed ammunition, regardless of
6 date of manufacture, or was manufactured before 1898 for which
7 cartridge ammunition is not commercially available, and is
8 possessed as a curiosity or ornament or for its historical
9 significance or value.
- 10 b. "Deface" means to remove, deface, cover, alter or destroy
11 the name of the maker, model designation, manufacturer's serial
12 number or any other distinguishing identification mark or number
13 on any firearm.
- 14 c. "Destructive device" means any device, instrument or object
15 designed to explode or produce uncontrolled combustion, including
16 (1) any explosive or incendiary bomb, mine or grenade; (2) any
17 rocket having a propellant charge of more than four ounces or any
18 missile having an explosive or incendiary charge of more than one-
19 quarter of an ounce; (3) any weapon capable of firing a projectile of
20 a caliber greater than 60 caliber, except a shotgun or shotgun
21 ammunition generally recognized as suitable for sporting purposes;
22 (4) any Molotov cocktail or other device consisting of a breakable
23 container containing flammable liquid and having a wick or similar
24 device capable of being ignited. The term does not include any
25 device manufactured for the purpose of illumination, distress
26 signaling, line-throwing, safety or similar purposes.
- 27 d. "Dispose of" means to give, give away, lease, loan, keep for
28 sale, offer, offer for sale, sell, transfer, or otherwise transfer
29 possession.
- 30 e. "Explosive" means any chemical compound or mixture that
31 is commonly used or is possessed for the purpose of producing an
32 explosion and which contains any oxidizing and combustible
33 materials or other ingredients in such proportions, quantities or
34 packing that an ignition by fire, by friction, by concussion or by
35 detonation of any part of the compound or mixture may cause such
36 a sudden generation of highly heated gases that the resultant
37 gaseous pressures are capable of producing destructive effects on
38 contiguous objects. The term shall not include small arms
39 ammunition, or explosives in the form prescribed by the official
40 United States Pharmacopoeia.
- 41 f. "Firearm" means any handgun, rifle, shotgun, machine gun,
42 automatic or semi-automatic rifle, or any gun, device or instrument
43 in the nature of a weapon from which may be fired or ejected any
44 solid projectable ball, slug, pellet, missile or bullet, or any gas,
45 vapor or other noxious thing, by means of a cartridge or shell or by
46 the action of an explosive or the igniting of flammable or explosive
47 substances. It shall also include, without limitation, any firearm
48 which is in the nature of an air gun, spring gun or pistol or other

- 1 weapon of a similar nature in which the propelling force is a spring,
2 elastic band, carbon dioxide, compressed or other gas or vapor, air
3 or compressed air, or is ignited by compressed air, and ejecting a
4 bullet or missile smaller than three-eighths of an inch in diameter,
5 with sufficient force to injure a person.
- 6 g. "Firearm silencer" means any instrument, attachment,
7 weapon or appliance for causing the firing of any gun, revolver,
8 pistol or other firearm to be silent, or intended to lessen or muffle
9 the noise of the firing of any gun, revolver, pistol or other firearm.
- 10 h. "Gravity knife" means any knife which has a blade which is
11 released from the handle or sheath thereof by the force of gravity or
12 the application of centrifugal force.
- 13 i. "Machine gun" means any firearm, mechanism or instrument
14 not requiring that the trigger be pressed for each shot and having a
15 reservoir, belt or other means of storing and carrying ammunition
16 which can be loaded into the firearm, mechanism or instrument and
17 fired therefrom. A machine gun also shall include, without
18 limitation, any firearm with a trigger crank attached.
- 19 j. "Manufacturer" means any person who receives or obtains
20 raw materials or parts and processes them into firearms or finished
21 parts of firearms, except a person who exclusively processes grips,
22 stocks and other nonmetal parts of firearms. The term does not
23 include a person who repairs existing firearms or receives new and
24 used raw materials or parts solely for the repair of existing firearms.
- 25 k. "Handgun" means any pistol, revolver or other firearm
26 originally designed or manufactured to be fired by the use of a
27 single hand.
- 28 l. "Retail dealer" means any person including a gunsmith,
29 except a manufacturer or a wholesale dealer, who sells, transfers or
30 assigns for a fee or profit any firearm or parts of firearms or
31 ammunition which he has purchased or obtained with the intention,
32 or for the purpose, of reselling or reassigning to persons who are
33 reasonably understood to be the ultimate consumers, and includes
34 any person who is engaged in the business of repairing firearms or
35 who sells any firearm to satisfy a debt secured by the pledge of a
36 firearm.
- 37 m. "Rifle" means any firearm designed to be fired from the
38 shoulder and using the energy of the explosive in a fixed metallic
39 cartridge to fire a single projectile through a rifled bore for each
40 single pull of the trigger.
- 41 n. "Shotgun" means any firearm designed to be fired from the
42 shoulder and using the energy of the explosive in a fixed shotgun
43 shell to fire through a smooth bore either a number of ball shots or a
44 single projectile for each pull of the trigger, or any firearm designed
45 to be fired from the shoulder which does not fire fixed ammunition.
- 46 o. "Sawed-off shotgun" means any shotgun having a barrel or
47 barrels of less than 18 inches in length measured from the breech to
48 the muzzle, or a rifle having a barrel or barrels of less than 16

1 inches in length measured from the breech to the muzzle, or any
2 firearm made from a rifle or a shotgun, whether by alteration, or
3 otherwise, if such firearm as modified has an overall length of less
4 than 26 inches.

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

8 q. "Superintendent" means the Superintendent of the State
9 Police.

10 r. "Weapon" means anything readily capable of lethal use or of
11 inflicting serious bodily injury. The term includes, but is not
12 limited to, all (1) firearms, even though not loaded or lacking a clip
13 or other component to render them immediately operable; (2)
14 components which can be readily assembled into a weapon; (3)
15 gravity knives, switchblade knives, daggers, dirks, stilettos, or other
16 dangerous knives, billies, blackjacks, bludgeons, metal knuckles,
17 sandclubs, slingshots, cesti or similar leather bands studded with
18 metal filings or razor blades imbedded in wood; and (4) stun guns;
19 and any weapon or other device which projects, releases, or emits
20 tear gas or any other substance intended to produce temporary
21 physical discomfort or permanent injury through being vaporized or
22 otherwise dispensed in the air.

23 s. "Wholesale dealer" means any person, except a
24 manufacturer, who sells, transfers, or assigns firearms, or parts of
25 firearms, to persons who are reasonably understood not to be the
26 ultimate consumers, and includes persons who receive finished
27 parts of firearms and assemble them into completed or partially
28 completed firearms, in furtherance of such purpose, except that it
29 shall not include those persons dealing exclusively in grips, stocks
30 and other nonmetal parts of firearms.

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

34 u. "Ballistic knife" means any weapon or other device capable
35 of lethal use and which can propel a knife blade.

36 v. "Imitation firearm" means an object or device reasonably
37 capable of being mistaken for a firearm.

38 w. "Assault firearm" means:

39 (1) The following firearms:

40 Algimec AGM1 type

41 Any shotgun with a revolving cylinder such as the "Street
42 Sweeper" or "Striker 12"

43 Armalite AR-180 type

44 Australian Automatic Arms SAR

45 Avtomat Kalashnikov type semi-automatic firearms

46 Beretta AR-70 and BM59 semi-automatic firearms

47 Bushmaster Assault Rifle

48 Calico M-900 Assault carbine and M-900

- 1 CETME G3
- 2 Chartered Industries of Singapore SR-88 type
- 3 Colt AR-15 and CAR-15 series
- 4 Daewoo K-1, K-2, Max 1 and Max 2, AR 100 types
- 5 Demro TAC-1 carbine type
- 6 Encom MP-9 and MP-45 carbine types
- 7 FAMAS MAS223 types
- 8 FN-FAL, FN-LAR, or FN-FNC type semi-automatic
- 9 firearms
- 10 Franchi SPAS 12 and LAW 12 shotguns
- 11 G3SA type
- 12 Galil type Heckler and Koch HK91, HK93, HK94, MP5,
- 13 PSG-1
- 14 Intratec TEC 9 and 22 semi-automatic firearms
- 15 M1 carbine type
- 16 M14S type
- 17 MAC 10, MAC 11, MAC 11-9mm carbine type firearms
- 18 PJK M-68 carbine type
- 19 Plainfield Machine Company Carbine
- 20 Ruger K-Mini-14/5F and Mini-14/5RF
- 21 SIG AMT, SIG 550SP, SIG 551SP, SIG PE-57 types
- 22 SKS with detachable magazine type
- 23 Spectre Auto carbine type
- 24 Springfield Armory BM59 and SAR-48 type
- 25 Sterling MK-6, MK-7 and SAR types
- 26 Steyr A.U.G. semi-automatic firearms
- 27 USAS 12 semi-automatic type shotgun
- 28 Uzi type semi-automatic firearms
- 29 Valmet M62, M71S, M76, or M78 type semi-automatic
- 30 firearms
- 31 Weaver Arm Nighthawk.
- 32 (2) Any firearm manufactured under any designation which is
- 33 substantially identical to any of the firearms listed above.
- 34 (3) A semi-automatic shotgun with either a magazine capacity
- 35 exceeding six rounds, a pistol grip, or a folding stock.
- 36 (4) A semi-automatic rifle with a fixed magazine capacity
- 37 exceeding 10 rounds. "Assault firearm" shall not include a semi-
- 38 automatic rifle which has an attached tubular device and which is
- 39 capable of operating only with .22 caliber rimfire ammunition.
- 40 (5) A part or combination of parts designed or intended to
- 41 convert a firearm into an assault firearm, or any combination of
- 42 parts from which an assault firearm may be readily assembled if
- 43 those parts are in the possession or under the control of the same
- 44 person.
- 45 (6) A firearm with a bump stock attached.
- 46 x. "Semi-automatic" means a firearm which fires a single
- 47 projectile for each single pull of the trigger and is self-reloading or
- 48 automatically chambers a round, cartridge, or bullet.

1 y. "Large capacity ammunition magazine" means a box, drum,
2 tube or other container which is capable of holding more than 10
3 rounds of ammunition to be fed continuously and directly therefrom
4 into a semi-automatic firearm. The term shall not include an
5 attached tubular device which is capable of holding only .22 caliber
6 rimfire ammunition.

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

11 aa. "Antique handgun" means a handgun manufactured before
12 1898, or a replica thereof, which is recognized as being historical in
13 nature or of historical significance and either (1) utilizes a match,
14 friction, flint, or percussion ignition, or which utilizes a pin-fire
15 cartridge in which the pin is part of the cartridge or (2) does not fire
16 fixed ammunition or for which cartridge ammunition is not
17 commercially available.

18 bb. "Trigger lock" means a commercially available device
19 approved by the Superintendent of State Police which is operated
20 with a key or combination lock that prevents a firearm from being
21 discharged while the device is attached to the firearm. It may
22 include, but need not be limited to, devices that obstruct the barrel
23 or cylinder of the firearm, as well as devices that immobilize the
24 trigger.

25 cc. "Trigger locking device" means a device that, if installed on
26 a firearm and secured by means of a key or mechanically,
27 electronically or electromechanically operated combination lock,
28 prevents the firearm from being discharged without first
29 deactivating or removing the device by means of a key or
30 mechanically, electronically or electromechanically operated
31 combination lock.

32 dd. "Personalized handgun" means a handgun which
33 incorporates within its design **【**, and as part of its original
34 manufacture, technology which automatically limits its operational
35 use and which cannot be readily deactivated, so that it may only be
36 fired by an authorized or recognized user. The technology limiting
37 the handgun's operational use may include, but not be limited to:
38 radio frequency tagging, touch memory, remote control, fingerprint,
39 magnetic encoding and other automatic user identification systems
40 utilizing biometric, mechanical or electronic systems**】** a permanent
41 programmable feature as part of its manufacture that cannot be
42 deactivated and renders the personalized handgun reasonably
43 resistant to being fired except when activated by the lawful owner
44 or other authorized user. No make or model of a handgun shall be
45 deemed to be a "personalized handgun" unless the **【**Attorney
46 General**】** Personalized Handgun Authorization Commission
47 established pursuant to section 1 of P.L. , c. (C.) (pending

1 before the Legislature as this bill has determined **],** through testing
2 or other reasonable means, that the handgun meets any reliability
3 standards that the manufacturer may require for its commercially
4 available handguns that are not personalized or, if the manufacturer
5 has no such reliability standards, **]** in accordance with section 2 of
6 P.L. , c. (C.) (pending before the Legislature as this bill),
7 that the personalized handgun meets the [reliability] performance
8 standards [generally used in the industry for commercially
9 available handguns] and qualifying criteria established pursuant to
10 section 2 of P.L. , c. (C.) (pending before the Legislature
11 as this bill).

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

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

22 gg. "Armor piercing ammunition" means: (1) a projectile or
23 projectile core which may be used in a handgun and is constructed
24 entirely, excluding the presence of traces of other substances, from
25 one or a combination of tungsten alloys, steel, iron, brass, bronze,
26 beryllium copper, or depleted uranium; or (2) a full jacketed
27 projectile larger than .22 caliber designed and intended for use in a
28 handgun and whose jacket has a weight of more than 25 percent of
29 the total weight of the projectile. "Armor piercing ammunition"
30 shall not include shotgun shot required by federal or State
31 environmental or game regulations for hunting purposes, a frangible
32 projectile designed for target shooting, a projectile which the United
33 States Attorney General finds is primarily intended to be used for
34 sporting purposes, or any other projectile or projectile core which
35 the United States Attorney General finds is intended to be used for
36 industrial purposes, including a charge used in an oil gas well
37 perforating device.

38 hh. "Covert firearm" means any firearm that is constructed in a
39 shape or configuration such that it does not resemble a handgun,
40 rifle, shotgun, or machine gun including, but not limited to, a
41 firearm that resembles a key-chain, pen, cigarette lighter, cigarette
42 package, cellphone, smart phone, wallet, or cane.

43 ii. "Undetectable firearm" means a firearm that: (1) after
44 removal of all parts other than major components, is not as
45 detectable as the Security Exemplar, by walk-through metal
46 detectors calibrated and operated to detect the Security Exemplar;
47 or (2) includes a major component which, if the firearm were

1 subjected to inspection by the types of detection devices commonly
2 used at airports for security screening, would not generate an image
3 that accurately depicts the shape of the component. "Undetectable
4 firearm" shall not be construed to include a firearm subject to the
5 provisions of paragraphs (3) through (6) of subsection (p) of 18
6 U.S.C. s.922.

7 jj. "Major component" means the slide or cylinder or the frame
8 or receiver of a firearm and, in the case of a rifle or shotgun, also
9 includes the barrel.

10 kk. "Security Exemplar" means the Security Exemplar fabricated
11 in accordance with subparagraph (C) of paragraph (2) of subsection
12 (p) of 18 U.S.C. s.922.

13 ll. "Authorized user" means the lawful owner of a personalized
14 handgun or a person to whom the owner has given consent to use
15 the personalized handgun.¹

16 (cf: P.L.2018, c.138, s.1)

17

18 ¹**[8.] 7.** N.J.S.2C:58-2 is amended to read as follows:

19 2C:58-2. a. Licensing of retail dealers and their employees.
20 No retail dealer of firearms nor any employee of a retail dealer shall
21 sell or expose for sale, or possess with the intent of selling, any
22 firearm unless licensed to do so as hereinafter provided. The
23 superintendent shall prescribe standards and qualifications for retail
24 dealers of firearms and their employees for the protection of the
25 public safety, health and welfare.

26 Applications shall be made in the form prescribed by the
27 superintendent, accompanied by a fee of \$50 payable to the
28 superintendent, and shall be made to a judge of the Superior Court
29 in the county where the applicant maintains his place of business.
30 The judge shall grant a license to an applicant if he finds that the
31 applicant meets the standards and qualifications established by the
32 superintendent and that the applicant can be permitted to engage in
33 business as a retail dealer of firearms or employee thereof without
34 any danger to the public safety, health and welfare. Each license
35 shall be valid for a period of three years from the date of issuance,
36 and shall authorize the holder to sell firearms at retail in a specified
37 municipality.

38 In addition, every retail dealer shall pay a fee of \$5 for each
39 employee actively engaged in the sale or purchase of firearms. The
40 superintendent shall issue a license for each employee for whom
41 said fee has been paid, which license shall be valid for so long as
42 the employee remains in the employ of said retail dealer.

43 No license shall be granted to any retail dealer under the age of
44 21 years or to any employee of a retail dealer under the age of 18 or
45 to any person who could not qualify to obtain a permit to purchase a
46 handgun or a firearms purchaser identification card, or to any
47 corporation, partnership or other business organization in which the

1 actual or equitable controlling interest is held or possessed by such
2 an ineligible person.

3 All licenses shall be granted subject to the following conditions,
4 for breach of any of which the license shall be subject to revocation
5 on the application of any law enforcement officer and after notice
6 and hearing by the issuing court:

7 (1) The business shall be carried on only in the building or
8 buildings designated in the license, provided that repairs may be
9 made by the dealer or his employees outside of such premises.

10 (2) The license or a copy certified by the issuing authority shall
11 be displayed at all times in a conspicuous place on the business
12 premises where it can be easily read.

13 (3) No firearm or imitation thereof shall be placed in any
14 window or in any other part of the premises where it can be readily
15 seen from the outside.

16 (4) No rifle or shotgun, except antique rifles or shotguns, shall
17 be delivered to any person unless such person possesses and
18 exhibits a valid firearms purchaser identification card and furnishes
19 the seller, on the form prescribed by the superintendent, a
20 certification signed by him setting forth his name, permanent
21 address, firearms purchaser identification card number and such
22 other information as the superintendent may by rule or regulation
23 require. The certification shall be retained by the dealer and shall
24 be made available for inspection by any law enforcement officer at
25 any reasonable time.

26 (5) No handgun shall be delivered to any person unless:

27 (a) Such person possesses and exhibits a valid permit to
28 purchase a firearm and at least seven days have elapsed since the
29 date of application for the permit;

30 (b) The person is personally known to the seller or presents
31 evidence of his identity;

32 (c) The handgun is unloaded and securely wrapped;

33 (d) **【Except as otherwise provided in subparagraph (e) of this**
34 **paragraph, the】** The handgun is accompanied by a trigger lock or a
35 locked case, gun box, container or other secure facility; provided,
36 however, this provision shall not apply to antique handguns or
37 personalized handguns included in the roster pursuant to section 2
38 of P.L. , c. (C.) (pending before the Legislature as this bill).

39 The **【exemption】** exemptions afforded under this subparagraph for
40 antique handguns and personalized handguns shall be narrowly
41 construed, limited solely to the requirements set forth herein and
42 shall not be deemed to afford or authorize any other exemption
43 from the regulatory provisions governing firearms set forth in
44 chapter 39 and chapter 58 of Title 2C of the New Jersey Statutes;
45 and

46 (e) **【On and after the first day of the sixth month following the**
47 **date on which the list of personalized handguns is prepared and**
48 **delivered pursuant to section 3 of P.L.2002, c.130 (C.2C:58-2.4),**

1 the handgun is identified as a personalized handgun and included
2 on that list or is an antique handgun. The provisions of
3 subparagraph (d) of this section shall not apply to the delivery of a
4 personalized handgun.】 (Deleted by amendment, P.L. _____,
5 c. _____) (pending before the Legislature as this bill)

6 (6) The dealer shall keep a true record of every handgun sold,
7 given or otherwise delivered or disposed of, in accordance with the
8 provisions of subsections b. through e. of this section and the record
9 shall note whether a trigger lock, locked case, gun box, container or
10 other secure facility was delivered along with the handgun.

11 (7) A dealer shall not knowingly deliver more than one handgun
12 to any person within any 30-day period. This limitation shall not
13 apply to:

14 (a) a federal, State, or local law enforcement officer or agency
15 purchasing handguns for use by officers in the actual performance
16 of their law enforcement duties;

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

21 (c) transfers of handguns among licensed retail dealers,
22 registered wholesale dealers and registered manufacturers;

23 (d) any transaction where the person has purchased a handgun
24 from a licensed retail dealer and has returned that handgun to the
25 dealer in exchange for another handgun within 30 days of the
26 original transaction, provided the retail dealer reports the exchange
27 transaction to the superintendent; or

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

31 b. Records. Every person engaged in the retail business of
32 selling, leasing or otherwise transferring a handgun, as a retail
33 dealer or otherwise, shall keep a register in which shall be entered
34 the time of the sale, lease or other transfer, the date thereof, the
35 name, age, date of birth, complexion, occupation, residence and a
36 physical description including distinguishing physical
37 characteristics, if any, of the purchaser, lessee or transferee, the
38 name and permanent home address of the person making the sale,
39 lease or transfer, the place of the transaction, and the make, model,
40 manufacturer's number, caliber and other marks of identification on
41 such handgun and such other information as the superintendent
42 shall deem necessary for the proper enforcement of this chapter.
43 The register shall be retained by the dealer and shall be made
44 available at all reasonable hours for inspection by any law
45 enforcement officer.

46 c. Forms of register. The superintendent shall prepare the form
47 of the register as described in subsection b. of this section and

1 furnish the same in triplicate to each person licensed to be engaged
2 in the business of selling, leasing or otherwise transferring firearms.

3 d. Signatures in register. The purchaser, lessee or transferee of
4 any handgun shall sign, and the dealer shall require him to sign his
5 name to the register, in triplicate, and the person making the sale,
6 lease or transfer shall affix his name, in triplicate, as a witness to
7 the signature. The signatures shall constitute a representation of the
8 accuracy of the information contained in the register.

9 e. Copies of register entries; delivery to chief of police or
10 county clerk. Within five days of the date of the sale, assignment or
11 transfer, the dealer shall deliver or mail by certified mail, return
12 receipt requested, legible copies of the register forms to the office
13 of the chief of police of the municipality in which the purchaser
14 resides, or to the office of the captain of the precinct of the
15 municipality in which the purchaser resides, and to the
16 superintendent. If hand delivered a receipt shall be given to the
17 dealer therefor.

18 Where a sale, assignment or transfer is made to a purchaser who
19 resides in a municipality having no chief of police, the dealer shall,
20 within five days of the transaction, mail a duplicate copy of the
21 register sheet to the clerk of the county within which the purchaser
22 resides.

23 (cf: P.L.2009, c.186, s.1)

24
25 ¹~~[9.] 8.~~¹ Section 8 of P.L.2002, c.130 (C.59:2-11) is amended
26 to read as follows:

27 8. ~~[No]~~ The action or inaction by a public entity or public
28 employee ~~[in implementing the provisions of P.L.2002,~~
29 ~~c.130 (C.2C:58-2.2 et al.), including but not limited to the]~~ when
30 promulgating, amending or supplementing [of a] the [list] roster
31 of personalized handguns that may be sold in this State [.] pursuant
32 to P.L. _____, c. _____ (C. _____) (pending before the Legislature as this bill
33 shall not constitute a representation, warranty or guarantee by any
34 public entity or employee with regard to the safety, use or any other
35 aspect or attribute of a personalized handgun.

36 ~~[No]~~ An action to recover damages shall not arise or ~~[shall]~~ be
37 brought against any public entity or public employee for any action
38 or inaction related to or in connection with ~~[the implementation of~~
39 ~~any aspect of P.L.2002, c.130 (C.2C:58-2.2 et al.)]~~ the roster of
40 personalized handguns established pursuant to section 2 of
41 P.L. _____, c. _____ (C. _____) (pending before the Legislature as this bill).

42 (cf: P.L.2002, c.130, s.8)

43
44 ¹~~[10.] 9.~~¹ The following sections are repealed:

45 Sections 1 through 4 of P.L.2002, c.130 (C.2C:58-2.2 through
46 (C.2C:58-2.5); and

47 Section 7 of P.L.2002, c.130 (C.2C:58-2.6).

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23

1 ¹**[11.]** 10.¹ This act shall take effect on the first day of the
2 seventh month following enactment, but the Attorney General and
3 Superintendent of State Police may take any anticipatory
4 administrative action in advance of that date as shall be necessary
5 for the implementation of this act.