

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, Nos. 1762, 1834 and 949**

STATE OF NEW JERSEY

DATED: MAY 13, 1996

The Assembly Law and Public Safety Committee reports favorably an Assembly Committee Substitute for Assembly Bill Nos. 1762, 1834 and 949.

The committee substitute permits certain retired law enforcement officers to carry handguns under certain conditions. The provisions of the substitute apply to individuals who are less than 70 years of age and who have retired in good standing after having served as full-time State, interstate, county or municipal law enforcement officers; sheriffs, undersheriffs or sheriff's officers; or as federal law enforcement officers.

To secure permission to carry a handgun, the retired officer must make application to the Superintendent of State Police. The application must be submitted within six months of the date of the officer's retirement. This authority to carry a handgun must be renewed annually. The reapplication procedure set forth in the substitute is identical to the initial application procedure.

In processing an officer's application, the superintendent must request verification of the retiree's law enforcement service from the law enforcement agency where he was last employed. The chief law enforcement officer of that agency must provide information concerning the retiree's length of service, the number of registered handguns that officer owns, and a statement that (1) the officer is not subject to any of the disqualifications set forth in subsection c. of N.J.S.2C:58-3 which would prohibit him from legally possessing a firearm in this State and (2) the officer retired in good standing. The bill also authorizes the superintendent to charge a reasonable application fee to cover processing and administrative costs.

Upon approval, the superintendent is to issue the retired officer an identification card, indicating that the officer is permitted to carry a handgun. The officer is required to have this identification card in his possession whenever he is carrying a handgun. The retiree may be required to produce the card for examination by any law enforcement officer or authority.

The permission to carry a handgun may be revoked if the retiree should be come disqualified under the provisions of subsection c. of

N.J.S.2C:58-3 or by a judge of the Superior Court for good cause.

Finally, the substitute provides a one year "window of opportunity" for law enforcement officers who retired prior to the enactment of the substitute, but who are qualified and wish to apply for permission to carry a handgun.

Retired law enforcement officers are afforded no special treatment under current law. In order to carry a handgun after retirement, a retired officer, just like any other citizen, must establish a "justifiable need" to carry a handgun pursuant to N.J.S.2C:58-4.