

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, No. 2456**

STATE OF NEW JERSEY

DATED: MARCH 3, 1997

The Assembly Law and Public Safety Committee reports favorably Assembly committee substitute for Assembly Bill No. 2456.

The committee substitute establishes a new offense concerning the illegal sale or transfer of a firearm to a person under the age of 18 by holding the seller strictly liable for the crimes subsequently committed, or attempted, by the underage person with that firearm. The substitute is modeled on the current law holding a person who sells illegal drugs strictly liable for a death resulting from the ingestion of those drugs.

Currently under N.J.S.2C:39-10, a person who knowingly sells or transfers a firearm to someone under the age of 18 is guilty of a crime of the third degree and subject to a mandatory minimum term of imprisonment of three years without parole eligibility. Under this substitute, a person who is convicted under N.J.S.2C:39-10 would also be held liable for the crimes subsequently committed, or attempted, by the underage person with the firearm and therefore, subject to the additional penalties for those crimes.

Additionally, the committee substitute requires the sentence imposed pursuant to N.J.S.2C:39-10 to run consecutive to any sentence imposed for this new offense.

It is the intent of the sponsor that persons who engage in the illegal sale of firearms to minors be put on notice that a conviction for this crime will carry the enhanced penalties provided for in this bill without regard to the seller's intent.

The provisions of the committee substitute for this bill are identical to the provisions of the committee substitute for Senate Bill No. 1601, also reported on this date.