

SENATE, No. 2933

STATE OF NEW JERSEY
212th LEGISLATURE

INTRODUCED NOVEMBER 8, 2007

Sponsored by:
Senator SHIRLEY K. TURNER
District 15 (Mercer)

SYNOPSIS

Requires newly manufactured handguns be micro-stamped.

CURRENT VERSION OF TEXT

As introduced.



S2933 TURNER

2

1 AN ACT concerning certain handguns, supplementing chapter 58 of
2 Title 2C of the New Jersey Statutes and amending N.J.S.2C:39-
3 10.

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

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8 1. (New section) a. No person registered or licensed by the
9 superintendent as a manufacturer, wholesale dealer of firearms,
10 retail dealer of firearms or agent or employee of a wholesale or
11 retail dealer of firearms pursuant to the provisions of N.J.S.2C:58-2
12 shall transport into this State, sell, expose for sale, possess with the
13 intent of selling, assign or otherwise transfer any handgun
14 manufactured after the effective date of this act unless that handgun
15 is designed and equipped with a microscopic array of characters
16 that identify the make, model and serial number of that handgun.
17 The characters shall be etched or otherwise imprinted onto the
18 interior surface or internal working parts of the handgun in a
19 manner to ensure their imprinting on each cartridge case when the
20 handgun is fired.

21 b. In a manner and form prescribed by the Attorney General, a
22 retail dealer shall notify the superintendent of each sale of a
23 handgun designed and equipped with a microscopic array of
24 characters in accordance with subsection a. of this section. The
25 information provided by the retail dealer shall include, but not be
26 limited to: the name and address of the purchaser or assignee; date
27 and place of the sale; and make, model, manufacturer's number and,
28 caliber of the handgun. The superintendent shall establish and
29 maintain a data base of the information received pursuant to this
30 subsection.

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32 2. N.J.S.2C:39-10 is amended to read as follows:

33 2C:39-10. Violation of the Regulatory Provisions Relating to
34 Firearms; False Representation in Applications.

35 a. (1) Except as otherwise provided in paragraph (2) of this
36 subsection, any person who knowingly violates the regulatory
37 provisions relating to manufacturing or wholesaling of firearms
38 (section 2C:58-1), retailing of firearms (section 2C:58-2) and
39 section 1 of P.L. _____, c. (C. _____) (pending before the Legislature
40 as this bill), permits to purchase certain firearms (section 2C:58-3),
41 permits to carry certain firearms (section 2C:58-4), licenses to
42 procure machine guns or assault firearms (section 2C:58-5), or
43 incendiary or tracer ammunition (section 2C:58-10), except acts
44 which are punishable under section 2C:39-5 or section 2C:39-9, is
45 guilty of a crime of the fourth degree.

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 (2) A licensed dealer who knowingly violates the provisions of
2 subparagraph (d) of paragraph (5) of subsection a. of N.J.S.2C:58-2
3 is a disorderly person.

4 b. Any person who knowingly violates the regulatory
5 provisions relating to notifying the authorities of possessing certain
6 items of explosives (section 2C:58-7), or of certain wounds (section
7 2C:58-8) is a disorderly person.

8 c. Any person who gives or causes to be given any false
9 information, or signs a fictitious name or address, in applying for a
10 firearms purchaser identification card, a permit to purchase a
11 handgun, a permit to carry a handgun, a permit to possess a machine
12 gun, a permit to possess an assault firearm, or in completing the
13 certificate or any other instrument required by law in purchasing or
14 otherwise acquiring delivery of any rifle, shotgun, handgun,
15 machine gun, or assault firearm or any other firearm, is guilty of a
16 crime of the third degree.

17 d. Any person who gives or causes to be given any false
18 information in registering an assault firearm pursuant to section 11
19 of P.L.1990, c.32 (C.2C:58-12) or in certifying that an assault
20 firearm was rendered inoperable pursuant to section 12 of P.L.1990,
21 c.32 (C.2C:58-13) commits a crime of the fourth degree.

22 e. Any person who knowingly sells, gives, transfers, assigns or
23 otherwise disposes of a firearm to a person who is under the age of
24 18 years, except as permitted in section 14 of P.L.1979, c.179
25 (C.2C:58-6.1), is guilty of a crime of the third degree.
26 Notwithstanding any other provision of law to the contrary, the
27 sentence imposed for a conviction under this subsection shall
28 include a mandatory minimum three-year term of imprisonment,
29 during which the defendant shall be ineligible for parole.

30 f. Unless the recipient is authorized to possess the handgun in
31 connection with the performance of official duties under the
32 provisions of N.J.S.2C:39-6, any person who knowingly sells,
33 gives, transfers, assigns or otherwise disposes of a handgun to a
34 person who is under the age of 21 years, except as permitted in
35 section 14 of P.L.1979, c.179 (C.2C:58-6.1), is guilty of a crime of
36 the third degree.

37 (cf: P.L.2000, c.145, s.2)

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39 3. This act shall take effect on the first day of the thirteenth
40 month following enactment, provided, however, if the Attorney
41 General determines that the technology necessary to effectuate the
42 purposes of this act is not readily available to firearms
43 manufacturers, the Attorney General shall so certify to the
44 Governor and the Legislature and the act shall remain inoperative
45 until the first day of the fourth month following the Attorney
46 General's certification to the Governor and Legislature that the
47 necessary technology is available to firearms manufacturers, and
48 further provided, the Attorney General may take such anticipatory

1 administrative action in advance thereof as shall be necessary for
2 the implementation of this act.

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STATEMENT

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7 This bill would require that all newly manufactured handguns
8 sold by licensed retail firearms dealers be micro-stamped.

9 Micro-stamping is a laser technology that can engrave or etch
10 minute identifying characters or letters on small, even exceptionally
11 small, objects or items. In the case of a handgun, these engravings
12 or etchings would be placed on the firing pin of the handgun in a
13 manner to ensure their imprinting on each cartridge case when the
14 handgun is fired. The array of characters or imprints on the
15 cartridge could then be utilized by law enforcement to identify the
16 make, model and serial number of the handgun.

17 The bill requires licensed retail firearms dealers to report their
18 handgun sales to the State Police. The information required in this
19 report is substantially the same information these dealers currently
20 record in a sales register they are statutorily required to maintain.
21 The bill directs the State Police to establish and maintain this
22 information in a data base.

23 A licensed retail firearms dealer who sells or transfers a handgun
24 that is not micro-stamped would be guilty of a crime of the fourth
25 degree, punishable by imprisonment for a term of up to 18 months,
26 a fine of up to \$10,000, or both.

27 If the Attorney General determines that the laser technology
28 required to micro-stamp handguns is not available to firearms
29 manufacturers, the provisions of the bill are to remain inoperative
30 until that technology is available.