

[Third Reprint]

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1217

STATE OF NEW JERSEY
218th LEGISLATURE

ADOPTED MARCH 5, 2018

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SYNOPSIS

“Extreme Risk Protective Order Act of 2018.”

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 4,
2018, with amendments.

(Sponsorship Updated As Of: 6/8/2018)

1 AN ACT concerning extreme risk ²**[protection]** protective² ³**[order]**
2 orders³ and supplementing and amending various parts of the
3 statutory law.

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

7
8 1. (New section) This act shall be known and may be cited as
9 the “Extreme Risk Protective Order Act of 2018.”

10
11 2. (New section) As used in P.L. , c. (C.) (pending
12 before the Legislature as this bill):

13 “Ammunition” means ammunition or cartridge cases, primers,
14 bullets, or propellant powder designed for use in any firearm, but
15 does not include any shotgun shot or pellet not designed for use as
16 the single, complete projectile load for one shotgun hull or casing or
17 any unloaded, non-metallic shotgun hull or casing not having a
18 primer.

19 “Deadly weapon” shall have the same meaning as in subsection
20 c. of N.J.S.2C:11-1.

21 “Family or household member” means a spouse, domestic
22 partner as defined in section 3 of P.L.2003, c.246 (C.26:8A-3),
23 partner in a civil union couple as defined in section 2 of P.L.2006,
24 c.103 (C.37:1-29), or former spouse, former domestic partner, or
25 former partner in a civil union couple, or any other person who is a
26 present household member or was at any time a household member;
27 a person with whom the respondent has a child in common, or with
28 whom the respondent anticipates having a child in common if one
29 of the parties is pregnant; or a current or former dating partner.

30 “Firearm” shall have the same meaning as in N.J.S.2C:39-1.

31 “Law enforcement agency” means a department, division,
32 bureau, commission, board or other authority of the State or of any
33 political subdivision thereof which employs law enforcement
34 officers.

35 “Law enforcement officer” means a person whose public duties
36 include the power to act as an officer for the detection,
37 apprehension, arrest, and conviction of offenders against the laws of
38 this State.

39 “Petitioner” means a family or household member or law
40 enforcement officer.

41 “Recent” means within six months prior to the date the petition
42 was filed.

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 AAP committee amendments adopted March 22, 2018.
²Senate SLP committee amendments adopted April 16, 2018.
³Senate SBA committee amendments adopted June 4, 2018.

1 3. (New section) a. A law enforcement officer who, in good
2 faith, does not file a petition for an extreme risk protective order or
3 temporary extreme risk ²[protection] protective² order shall be
4 immune from criminal or civil liability.

5 b. A law enforcement agency shall be immune from civil or
6 criminal liability for any damage or deterioration of firearms or
7 ammunition stored or transported pursuant to section ²[6 or]² 7 ²or ²8²
8 of P.L. , c. (C.) (pending before the Legislature as this bill)
9 unless the damage or deterioration resulted from recklessness, gross
10 negligence, or intentional misconduct by the law enforcement agency.

11 ³c. The immunity provided in subsections a. and b. of this section
12 shall be in addition to any privileges or immunities provided pursuant
13 to any other law.³
14

15 4. (New section) a. ¹[A] Except as provided in subsection
16 ²[m.] 1.² of this section, a¹ petitioner may file a petition ¹, as
17 prescribed by the Administrative Director of the Courts,¹ for a
18 temporary extreme risk protective order in the ²[Superior Court]
19 court² in accordance with the Rules of Court ²[1 or in any State,
20 county, or municipal law enforcement agency¹]² alleging that the
21 respondent poses a significant danger of bodily injury to self or others
22 by having custody or control of, owning, possessing, purchasing, or
23 receiving a firearm. The petition shall be heard by the ²[Superior
24 Court] court² in an expedited manner.

25 ³Petition forms shall be readily available at the courts, and at State,
26 county, and municipal law enforcement agencies.³

27 ²[1 In the case of a petition filed in a] ³[A2] Prior to filing a
28 petition with the court, a family or household member may request
29 assistance from a³ State, county, or municipal law enforcement agency
30 ²[, a law enforcement officer or employee]² ³which³ shall advise the
31 petitioner of the procedure for completing and signing a petition for a
32 temporary extreme risk protective order.¹ ³A law enforcement officer
33 from the agency may assist the family or household member in
34 preparing or filing the petition. This assistance may include, but not
35 be limited to, providing information related to the factors set forth in
36 subsection f. of this section, joining in the petition, referring the matter
37 to another law enforcement agency for additional assistance, or filing
38 the officer's own petition with the court.³

39 Filing a petition pursuant to this section shall not prevent a
40 petitioner from filing a criminal complaint ²or applying for a
41 restraining order pursuant to the "Prevention of Domestic Violence
42 Act of 1991," P.L. 1991, c. 261 (C.2C:25-17 et seq.)² ³or prevent any
43 person from taking any action authorized pursuant to P.L.1987, c.116
44 (C.30:4-27.1 et seq.)³ based on the circumstances forming the basis of
45 the petition.

1 A petitioner may apply for relief under this section in ²[a ¹[court]
2 county¹ where the respondent resides, or where the petitioner resides
3 in]² accordance with the Rules of Court.

4 b. A petition for a temporary extreme risk protective order shall
5 include an affidavit ³[including] setting forth the facts tending to
6 establish the grounds of the petition, or the reason for believing that
7 they exist, and, to the extent available,³ the number, types, physical
8 description, and locations of any firearms and ammunition currently
9 believed by the petitioner to be controlled or possessed by the
10 respondent.

11 c. The court shall not charge a fee to file the petition.

12 d. ³[Petition forms shall be readily available at the courts, and at
13 State, county, and municipal]³ ¹[police stations] ³[law enforcement
14 agencies¹] The court, before issuing a temporary extreme risk
15 protective order, shall examine under oath the petitioner and any
16 witness the petitioner may produce. The court, in lieu of examining
17 the petitioner and any witness, may rely on an affidavit submitted in
18 support of the petition³.

19 e. A judge shall issue the order if the court finds good cause to
20 believe that the respondent poses an immediate and present danger of
21 causing bodily injury to the respondent or others by having custody or
22 control of, owning, possessing, purchasing, or receiving a firearm.

23 f. ²[¹[In] To assist the court in¹ determining whether to issue an
24 order pursuant to this section, ¹the] The² county prosecutor ²or a
25 designee of the county prosecutor² shall produce in an expedited
26 manner any available evidence ²including, but not limited to,
27 ³available³ evidence related to the factors set forth in this section,²
28 and¹ the court shall consider whether the respondent ²[has]²:

29 (1) ²has² any history of threats or acts of violence by the
30 respondent directed toward self or others;

31 (2) ²has² any history of use, attempted use, or threatened use of
32 physical force by the respondent against another person;

33 (3) ²[any recent violation of] is the subject of a temporary or final
34 restraining order or has violated² a ²temporary or final² restraining
35 order issued pursuant to the "Prevention of Domestic Violence Act of
36 1991," P.L.1991, c.261 (C.2C:25-17 et seq.);

37 (4) ²[any recent violation of] is the subject of a temporary or final
38 protective order or has violated² a ²temporary or final² protective order
39 issued pursuant to the "Sexual Assault Survivor Protection Act of
40 2015," P.L.2015, c.147 (C.2C:14-13 et al.);

41 (5) ²[ever been convicted of] has any prior arrests, pending
42 charges, or convictions for² a violent ²indictable crime or² disorderly
43 persons ²[or petty disorderly persons]² offense, stalking offense
44 pursuant to section 1 of P.L.1992, c.209 (C.2C:12-10), or domestic

1 violence offense enumerated in section 3 of P.L.1991, c.261 (C.2C:25-
2 19);

3 (6) ²has² ³[ever been convicted of an] any prior arrests, pending
4 charges, or convictions for any³ offense involving cruelty to animals
5 ³or any history of acts involving cruelty to animals³; ²[or]²

6 (7) ²has² any history of drug or alcohol abuse and recovery from
7 this abuse ²[.] ; or²

8 ²[g. In determining whether to issue an order pursuant to this
9 section, ¹the county prosecutor shall produce in an expedited manner
10 any available evidence and¹ the court also may consider any factors
11 related to whether the respondent presents an increased risk of
12 violence, including, but not limited to, whether the respondent has any:

13 (1) history of violating a restraining order issued pursuant to the
14 “Prevention of Domestic Violence Act of 1991,” P.L.1991, c.261
15 (C.2C:25-17 et seq.);

16 (2) history of violating a protective order issued pursuant to the
17 “Sexual Assault Survivor Protection Act of 2015,” P.L.2015, c.147
18 (C.2C:14-13 et al.)

19 (3) prior arrests for a violent disorderly persons or petty disorderly
20 persons offense, stalking offense pursuant to section 1 of P.L.1992,
21 c.209 (C.2C:12-10), or domestic violence offense enumerated in
22 section 3 of P.L.1991, c.261 (C.2C:25-19); or

23 (4) recent acquisitions of] (8) has recently acquired² a firearm,
24 ammunition, or other deadly weapon.

25 ²[h.] g.² The temporary extreme risk protective order shall
26 prohibit the respondent from having custody or control of, owning,
27 purchasing, possessing, or receiving firearms or ammunition, and from
28 securing or holding a firearms purchaser identification card or permit
29 to purchase a handgun pursuant to N.J.S.2C:58-3, or a permit to carry
30 a handgun pursuant to N.J.S.2C:58-4 during the period the protective
31 order is in effect and shall order the respondent to surrender firearms
32 and ammunition in the respondent’s custody or control, or which the
33 respondent possesses or owns, and any firearms purchaser
34 identification card, permit to purchase a handgun, or permit to carry a
35 handgun held by the respondent in accordance with section 7 of P.L. ,
36 c. (C.) (pending before the Legislature as this bill). Any card or
37 permit issued to the respondent shall be immediately revoked pursuant
38 to subsection f. of N.J.S.2C:58-3.

39 ²[i.] h.² A temporary extreme risk protective order issued under
40 this section shall remain in effect until a court issues a further order.

41 ²[j.] i.² The court that issues the temporary extreme risk
42 protective order shall immediately forward³:

43 (1)³ a copy of the order ³[and petition]³ to the ³petitioner and³
44 ¹county prosecutor ²[and¹] ³[who shall forward a copy to the²] in the
45 county in which the respondent resides; and

1 (2) a copy of the order and the petition to the³ appropriate law
2 enforcement agency ³in the municipality in which the respondent
3 resides,³ which shall immediately, or as soon as practicable, serve it on
4 the respondent ³], ²[and]² to the law enforcement agency of the
5 municipality in which the petitioner resides or is sheltered ², and the
6 petitioner²]³.

7 If personal service cannot be effected upon the respondent, the
8 court may order other appropriate substituted service. At no time shall
9 ²[the] ^aa² petitioner ²who is a family or household member² be asked
10 or required to serve any order on the respondent. The law enforcement
11 agency serving the order shall not charge a fee or seek reimbursement
12 from the petitioner for service of the order.

13 ²[k.] ^{j.}² Notice of temporary extreme risk protective orders
14 issued pursuant to this section shall be sent by the ²[clerk of the court
15 or other person designated by the court] county prosecutor² to the
16 appropriate chiefs of police, members of the State Police, and any
17 other appropriate law enforcement agency or court.

18 ²[l.] ^{k.}² Any temporary extreme risk protective order issued
19 pursuant to this section shall be in effect throughout the State, and
20 shall be enforced by all law enforcement officers.

21 ²[m.] ^{l.}² (1) A petition for a temporary extreme risk protective
22 order filed against a law enforcement officer shall be filed in the law
23 enforcement agency in which the officer is employed. The law
24 enforcement officer or employee receiving the petition shall advise the
25 petitioner of the procedure for completing and signing a petition.

26 (2) Upon receipt of the petition, the law enforcement officer's
27 employer shall immediately initiate an internal affairs investigation.

28 (3) The disposition of the internal affairs investigation shall
29 immediately be served upon the county prosecutor who shall make a
30 determination whether to refer the matter to the courts.

31 (4) The law enforcement officer's employer shall take appropriate
32 steps to implement any findings set forth in the disposition of the
33 internal affairs investigation.

34 The law enforcement officer shall not be terminated during the
35 pendency of the internal affairs investigation.¹

36
37 5. (New section) a. A hearing for ²[an] a final² extreme risk
38 protective order shall be held ¹in the Superior Court¹ in accordance
39 with the Rules of Court within 10 days of the filing of a petition
40 pursuant to ¹subsection a. of¹ section 4 of P.L. , c. (C.)
41 (pending before the Legislature as this bill) ²[in the county where the
42 temporary extreme risk protective order was filed, unless good cause is
43 shown for the hearing to be held in another county]². A copy of the
44 petition shall be served on the respondent in accordance with the Rules
45 of Court.

1 b. ²[¹In order to assist the court in determining whether to issue
2 an order pursuant to this section, the] ²The county prosecutor shall
3 produce in an expedited manner any available evidence ²including, but
4 not limited to, evidence related to the factors enumerated in subsection
5 f. of section 4 of P.L. , c. (C.) (pending before the Legislature as
6 this bill)².¹ If the court finds by a preponderance of the evidence at the
7 hearing that the respondent poses a significant danger of bodily injury
8 to the respondent's self or others by having custody or control of,
9 owning, possessing, purchasing, or receiving a firearm, the court shall
10 issue ¹[a one-year] an¹ extreme risk protective order ³[¹which shall
11 expire one year following the date of entry of the order unless the
12 order is extended pursuant to section 6 of P.L. , c. (C.)
13 (pending before the Legislature as this bill)¹].³

14 c. When deciding whether to issue the order, the court shall
15 consider the factors enumerated in subsection f. of section 4 of
16 P.L. , c. (C.) (pending before the Legislature as this bill) ²[and
17 may consider, but is not limited to, the factors enumerated in
18 subsection g. of section 4 of P.L. , c. (C.) (pending before the
19 Legislature as this bill),]² ³³ as well as any other relevant evidence.

20 d. An extreme risk protective order issued pursuant to this section
21 shall prohibit the respondent from having custody or control of,
22 owning, purchasing, possessing, or receiving a firearm. ¹A respondent
23 who is a law enforcement officer shall be subject to the provisions of
24 subsection ²[m.] 1.² of section 4 of P.L. , c. (C.) (pending
25 before the Legislature as this bill).¹

26
27 ³[6. (New section) a. Upon request by a petitioner ²in a form
28 prescribed by the Administrative Office of the Courts², and after
29 notice to the respondent ²in accordance with the Rules of Court² ¹,
30 appropriate law enforcement, and the county prosecutor¹ and a
31 hearing, the court may extend an extreme risk protective order
32 issued pursuant to section 5 of P.L. , c. , (C.)
33 (pending before the Legislature as this bill). A petition for an
34 extension may be filed ²[any time]² within three months preceding
35 the expiration of the current protective order ²but no less than 30
36 days preceding the expiration of the current protective order². The
37 protective order may be extended for one year if the court makes
38 the same findings by a preponderance of the evidence as required
39 for granting the initial order issued pursuant to section 5 of P.L. ,
40 c. (C.) (pending before the Legislature as this bill). The court
41 shall consider the factors enumerated in subsection f. of section 4 of
42 P.L. , c. (C.) (pending before the Legislature as this bill)
43 ²[and may consider, but is not limited to, the factors enumerated in
44 subsection g. of section 4 of P.L. , c. (C.) (pending before the
45 Legislature as this bill),]² as well as any other relevant evidence.

1 b. The court may terminate an order upon petition by the
2 respondent after a hearing at which the respondent shall bear the
3 burden of proving by a preponderance of the evidence that the
4 respondent no longer poses a significant danger of causing bodily
5 injury to the respondent's self or to other persons by having custody
6 or control of, owning, possessing, purchasing, or receiving a
7 firearm. The respondent may file no more than one petition to
8 terminate an order while the order is in effect. ³

9
10 ³6. (New section) Upon request of the petitioner or respondent, in
11 a form prescribed by the Administrative Office of the Courts, the court
12 may terminate a final extreme risk protective order issued pursuant to
13 section 5 of P.L. , c. (C.) (pending before the Legislature as
14 this bill) if:

15 a. the petitioner or respondent, as the case may be, has received
16 notice in accordance with the Rules of Court;

17 b. the appropriate law enforcement agency and the county
18 prosecutor have been notified; and

19 c. a hearing has been held by the court.

20 The petition for termination of the order may be filed at any time
21 following the issuance of the order. During the hearing, the court shall
22 consider the factors enumerated in subsection f. of section 4 of P.L. ,
23 c. (C.) (pending before the Legislature as this bill), as well as any
24 other relevant evidence including, but not limited to, whether the
25 respondent has received, or is receiving, mental health treatment.

26 If the respondent petitioned for termination, the respondent shall
27 bear the burden at the hearing of proving by a preponderance of the
28 evidence that the respondent no longer poses a significant danger of
29 causing bodily injury to the respondent's self or to other persons by
30 having custody or control of, owning, possessing, purchasing, or
31 receiving a firearm.³

32
33 7. (New section) a. When a temporary ²or final² extreme risk
34 protective order ²[or extreme risk protective order]² is issued pursuant
35 to section 4 ³[, 5, or 6] or 5³ of P.L. , c. (C.) (pending before
36 the Legislature as this bill), the court shall order the respondent to
37 surrender to the local law enforcement agency all firearms and
38 ammunition in the respondent's custody or control, or which the
39 respondent owns or possesses, and any firearms purchaser
40 identification card, permit to purchase a handgun, or permit to carry a
41 handgun held by the respondent. ³The court also shall notify the
42 respondent that the respondent is prohibited from purchasing firearms
43 or ammunition or applying for a firearms purchaser identification card,
44 permit to purchase a handgun, or permit to carry a handgun.³

45 b. ³[Upon being served with the protective order, the respondent
46 immediately shall surrender, in a safe manner, all firearms and
47 ammunition in the respondent's custody or control, or which the

1 respondent owns or possesses, and any firearms purchaser
2 identification card, permit to purchase a handgun, or permit to carry a
3 handgun held by the respondent to the control of the law enforcement
4 officer. (1)³

5 If the ³petition for the temporary extreme risk³ protective order
6 indicates that the respondent owns or possesses any firearms or
7 ammunition, ³the court shall issue a search warrant with the temporary
8 or final extreme risk protective order and³ the law enforcement officer
9 who serves the order shall request that all firearms and ammunition
10 immediately be surrendered.

11 ³[(2) If a law enforcement officer is unable to personally serve the
12 order, the respondent shall surrender all firearms and ammunition to
13 the control of the respondent's local law enforcement agency within 24
14 hours of being served with the order. Alternatively, the]

15 (1) The respondent immediately shall surrender, in a safe manner,
16 all firearms and ammunition in the respondent's custody or control, or
17 which the respondent owns or possesses, and any firearms purchaser
18 identification card, permit to purchase a handgun, or permit to carry a
19 handgun held by the respondent to the control of the law enforcement
20 officer.

21 (2) The³ respondent may ³[surrender or sell] request that the law
22 enforcement agency sell³ all firearms and ammunition in a safe
23 manner to a federally licensed firearms dealer ²pursuant to section 8 of
24 P.L. , c. (C.) (pending before the Legislature as this bill)².

25 (3) The law enforcement officer or licensed firearms dealer taking
26 possession of any firearms or ammunition pursuant to this subsection
27 shall issue a receipt identifying all firearms and ammunition that have
28 been surrendered by the respondent. The officer or dealer shall
29 provide a copy of the receipt to the respondent at the time of surrender.

30 (4) If the respondent surrenders firearms and ammunition to a law
31 enforcement officer ³pursuant to paragraph (1) of this subsection³ or
32 surrenders or sells firearms and ammunition to a licensed dealer
33 pursuant to paragraph (2) of this subsection, the respondent shall,
34 within 48 hours after being served with the order ^{2,2} file the receipt
35 with ²the court that issued the protective order and file a copy of the
36 receipt with the law enforcement agency that served the order] the
37 county prosecutor². Failure to timely file the receipt or copy of the
38 receipt shall constitute contempt of the order.

39 c. The court which issued the protective order may issue a search
40 warrant for a firearm or ammunition that is in the custody or control
41 of, owned, or possessed by a respondent who is subject to a
42 ²restraining] temporary or final protective² order issued pursuant to
43 section 4 ³1[or],¹ 5^{1,1} or 6] or 5³ of P.L. , c. (C.) (pending
44 before the Legislature as this bill) if the respondent has lawfully been
45 served with that order and has failed to surrender the firearm or
46 ammunition as required by this section.

1 d. ³【If the respondent has surrendered a firearm or ammunition to
2 a law enforcement agency, within 30 days of the expiration of the
3 order or upon termination of the order, the】 The³ respondent may
4 petition the agency for the return of any surrendered firearms or
5 ammunition ³upon termination of an order pursuant to section 6 of
6 P.L. , c. (C.) (pending before the Legislature as this bill)³.
7 Within 30 days of receiving a petition for the return of surrendered
8 firearms or ammunition and after the ³【expiration or】³ termination of
9 the order, the agency shall return the firearm or ammunition unless:

10 (1) the firearm has been reported as stolen; ³or³

11 (2) the respondent is prohibited from possessing a firearm under
12 State or federal law³【; or

13 (3) the protective order is extended ²or a petition to extend the
14 protective order is pending² pursuant to the provisions of section 6 of
15 P.L. , c. (C.) (pending before the Legislature as this bill)】³.

16 ²Nothing in this act shall prohibit revocation and seizure of ³【an
17 individual's】 a person's³ firearms purchaser identification card, permit
18 to purchase a handgun, permit to carry a handgun, and weapons
19 ³【pursuant to subsection f. of N.J.S.2C:58-3】 as authorized pursuant
20 to applicable law³ .²

21 e. If a person other than the respondent claims title to any firearm
22 or ammunition surrendered pursuant to this section, and the law
23 enforcement agency determines that the person is the lawful owner of
24 the firearm or ammunition, the firearm or ammunition shall be
25 returned to that person.

26 f. If the respondent has surrendered a firearm or ammunition to a
27 federally licensed firearms dealer, after ³【expiration or】³ termination
28 of the order, the respondent may request the law enforcement agency,
29 in writing, to authorize the return of the firearm or ammunition from
30 the dealer. The dealer shall transfer the firearm or ammunition to the
31 respondent in accordance with procedures required when a firearm or
32 ammunition is being sold from the dealer's inventory ²in accordance
33 with N.J.S.2C:58-2².

34
35 8. (New section) A respondent who has surrendered any
36 firearm or ammunition to a law enforcement agency pursuant to
37 P.L. , c. (C.) (pending before the Legislature as this bill)
38 who does not want the firearm or ammunition returned or is no
39 longer eligible to own or possess a firearm or ammunition may sell
40 or transfer title of the firearm or ammunition to a federally licensed
41 firearms dealer. The agency shall transfer possession of the firearm
42 or ammunition to a licensed dealer only after the dealer has
43 displayed written proof of transfer of the firearm or ammunition
44 from the respondent to the dealer and the agency has verified the
45 transfer with the respondent.

1 9. (New section) A law enforcement agency holding any firearm
 2 or ammunition surrendered pursuant to P.L. , c. (C.) (pending
 3 before the Legislature as this bill) for more than one year after the
 4 ³[expiration or]³ termination of the extreme risk protective order may
 5 destroy the firearm or ammunition in accordance with the policies and
 6 procedures of the agency for destruction of firearms or ammunition.

7
 8 10. (New section) ²[Except as provided in section 11 of P.L.,
 9 c. (C.) (pending before the Legislature as this bill), a] A²
 10 violation by the respondent of an order issued pursuant to section 4
 11 ³[²[or]² 5 ², or 6²] or 5³ of P.L. , c. (C.) (pending before the
 12 Legislature as this bill) shall constitute an offense under subsection e.
 13 of N.J.S.2C:29-9 and each order shall so state. All contempt
 14 proceedings conducted pursuant to N.J.S.2C:29-9 involving an
 15 extreme risk protective order shall be heard by the Superior Court. All
 16 contempt proceedings brought pursuant to P.L. , c. (C.)
 17 (pending before the Legislature as this bill) shall be made in
 18 accordance with the Rules of Court.

19
 20 ²[11. (New section) ¹[If a law enforcement officer finds
 21 probable cause that a] a. A¹ respondent ¹[is]¹ in contempt of an
 22 order entered pursuant to P.L. , c. (C.) (pending before the
 23 Legislature as this bill) ¹[, the respondent]¹ shall be arrested and
 24 taken into custody.

25 ¹b. If a person alleges that a respondent has violated or is in
 26 contempt of an order entered pursuant to P.L. , c. (C.)
 27 (pending before the Legislature as this bill) but the facts are
 28 insufficient to establish probable cause to arrest the respondent, a
 29 law enforcement officer shall advise the petitioner of the procedure
 30 for completing and signing a criminal complaint alleging a violation
 31 of subsection e. of N.J.S.2C:29-9.¹²

32
 33 ²[12.] 11.² (New section) a. The Administrative Office of the
 34 Courts shall include all persons who have had ²[¹an] a final² extreme
 35 risk¹ protective ¹[orders] order¹ entered against them pursuant to
 36 ¹section 5 ³[or 6]³ of¹ P.L. , c. (C.) (pending before the
 37 Legislature as this bill), and all persons who have been charged with a
 38 violation of ²[an] a temporary or final² extreme risk protective order
 39 ¹issued pursuant to section 4 ³[²[or],² 5 ², or 6²] or 5³ of P.L. , c.
 40 (C.) (pending before the Legislature as this bill),¹ in ²[the Domestic
 41 Violence Central Registry established pursuant to P.L.1999, c.421
 42 (C.2C:25-34 et seq.)] an electronic central registry created and
 43 maintained by the Administrative Office of the Courts². All records
 44 made pursuant to this section shall be kept confidential ²[in
 45 accordance with the Rules of Court¹and a] and shall be released only
 46 to a police or other law enforcement agency investigating a report of a

1 crime, offense, or act of domestic violence, or conducting a
2 background investigation involving a person's application for a
3 firearms purchaser identification card or permit to purchase a handgun
4 or employment as a police or law enforcement officer, or for any other
5 purpose authorized by law or the Supreme Court of the State of New
6 Jersey. A² respondent's information, other than information related to
7 a violation of ²[an] a temporary or final² order issued pursuant to
8 section 4 ³[²or], ² 5 ², or 6²] or 5³ of P.L. , c. (C.) (pending
9 before the Legislature as this bill), shall be removed from the registry
10 upon the ³[expiration] termination³ of the extreme risk protective
11 order¹.

12 b. Any person who disseminates or discloses a record or report of
13 the central registry for a purpose other than the purposes authorized in
14 this section or as otherwise authorized by law or the Supreme Court of
15 the State of New Jersey is guilty of a crime of the fourth degree.

16
17 ²[13.] 12.² N.J.S.2C:29-9 is amended to read as follows:

18 2C:29-9. Contempt. a. A person is guilty of a crime of the
19 fourth degree if **[he]** the person purposely or knowingly disobeys a
20 judicial order or protective order, pursuant to section 1 of P.L.1985,
21 c.250 (C.2C:28-5.1), or hinders, obstructs, or impedes the effectuation
22 of a judicial order or the exercise of jurisdiction over any person,
23 thing, or controversy by a court, administrative body, or investigative
24 entity.

25 b. (1) Except as provided in paragraph (2) of this subsection, a
26 person is guilty of a crime of the fourth degree if that person purposely
27 or knowingly violates any provision in an order entered under the
28 provisions of the "Prevention of Domestic Violence Act of 1991,"
29 P.L.1991, c.261 (C.2C:25-17 et al.) or an order entered under the
30 provisions of a substantially similar statute under the laws of another
31 state or the United States when the conduct which constitutes the
32 violation could also constitute a crime or a disorderly persons offense.

33 Orders entered pursuant to paragraphs (3), (4), (5), (8)^{3,3} and (9) of
34 subsection b. of section 13 of P.L.1991, c.261 (C.2C:25-29) or
35 substantially similar orders entered under the laws of another state or
36 the United States shall be excluded from the provisions of this
37 paragraph.

38 (2) In all other cases a person is guilty of a disorderly persons
39 offense if that person purposely or knowingly violates an order entered
40 under the provisions of the "Prevention of Domestic Violence Act of
41 1991," P.L.1991, c.261 (C.2C:25-17 et al.) or an order entered under
42 the provisions of a substantially similar statute under the laws of
43 another state or the United States.

44 Orders entered pursuant to paragraphs (3), (4), (5), (8)^{3,3} and (9)
45 of subsection b. of section 13 of P.L.1991, c.261 (C.2C:25-29) or
46 substantially similar orders entered under the laws of another state or

1 the United States shall be excluded from the provisions of this
2 paragraph.

3 c. A person is guilty of a crime of the third degree if that person
4 purposely or knowingly violates any provision in an order entered
5 under the provisions of section 3 of P.L.1996, c.39 (C.2C:12-10.1) or
6 section 2 of P.L.1999, c.47 (C.2C:12-10.2) or an order entered under
7 the provisions of a substantially similar statute under the laws of
8 another state or the United States when the conduct which constitutes
9 the violation could also constitute a crime or a disorderly persons
10 offense.

11 d. (1) Except as provided in paragraph (2) of this subsection, a
12 person is guilty of a crime of the fourth degree if that person purposely
13 or knowingly violates any provision in an order entered under the
14 provisions of P.L.2015, c.147 (C.2C:14-13 et al.) or an order entered
15 under the provisions of a substantially similar statute under the laws of
16 another state or the United States when the conduct which constitutes
17 the violation could also constitute a crime or a disorderly persons
18 offense.

19 (2) In all other cases a person is guilty of a disorderly persons
20 offense if that person purposely or knowingly violates an order entered
21 under the provisions of P.L.2015, c.147 (C.2C:14-13 et al.) or an order
22 entered under the provisions of a substantially similar statute under the
23 laws of another state or the United States.

24 e. A person is guilty of a crime of the fourth degree if the person
25 purposely or knowingly violates any provision of an order entered
26 under the provisions of the "Extreme Risk Protective Order Act of
27 2018," P.L. , c. (C.) (pending before the Legislature as this bill)
28 or an order entered under the provisions of a substantially similar
29 statute under the laws of another state or the United States.

30 As used in this section, "state" means a state of the United States,
31 the District of Columbia, Puerto Rico, the United States Virgin
32 Islands, or any territory or insular possession subject to the jurisdiction
33 of the United States. The term includes an Indian tribe or band, or
34 Alaskan native village, which is recognized by a federal law or
35 formally acknowledged by a state.

36 (cf: P.L.2016, c.93, s.3)

37

38 ²**[14.] 13.**² Section 6 of P.L.1979, c.179 (C.2C:39-7) is
39 amended to read as follows:

40 6. Certain Persons Not to Have Weapons.

41 a. Except as provided in subsection b. of this section, any
42 person, having been convicted in this State or elsewhere of the
43 crime of aggravated assault, arson, burglary, escape, extortion,
44 homicide, kidnapping, robbery, aggravated sexual assault, sexual
45 assault, bias intimidation in violation of N.J.S.2C:16-1 or
46 endangering the welfare of a child pursuant to N.J.S.2C:24-4,
47 whether or not armed with or having in his possession any weapon
48 enumerated in subsection r. of N.J.S.2C:39-1, or any person

1 convicted of a crime pursuant to the provisions of N.J.S.2C:39-3,
2 N.J.S.2C:39-4 or N.J.S.2C:39-9, or any person who has ever been
3 committed for a mental disorder to any hospital, mental institution
4 or sanitarium unless he possesses a certificate of a medical doctor
5 or psychiatrist licensed to practice in New Jersey or other
6 satisfactory proof that he is no longer suffering from a mental
7 disorder which interferes with or handicaps him in the handling of a
8 firearm, or any person who has been convicted of other than a
9 disorderly persons or petty disorderly persons offense for the
10 unlawful use, possession or sale of a controlled dangerous
11 substance as defined in N.J.S.2C:35-2 who purchases, owns,
12 possesses or controls any of the said weapons is guilty of a crime of
13 the fourth degree.

14 b. (1) A person having been convicted in this State or
15 elsewhere of the crime of aggravated assault, arson, burglary,
16 escape, extortion, homicide, kidnapping, robbery, aggravated sexual
17 assault, sexual assault, bias intimidation in violation of
18 N.J.S.2C:16-1, endangering the welfare of a child pursuant to
19 N.J.S.2C:24-4, stalking pursuant to P.L.1992, c.209 (C.2C:12-10)
20 or a crime involving domestic violence as defined in section 3 of
21 P.L.1991, c.261 (C.2C:25-19), whether or not armed with or having
22 in his possession a weapon enumerated in subsection r. of
23 N.J.S.2C:39-1, or a person having been convicted of a crime
24 pursuant to the provisions of N.J.S.2C:35-3 through N.J.S.2C:35-6,
25 inclusive; section 1 of P.L.1987, c.101 (C.2C:35-7); N.J.S.2C:35-
26 11; N.J.S.2C:39-3; N.J.S.2C:39-4; or N.J.S.2C:39-9 who purchases,
27 owns, possesses or controls a firearm is guilty of a crime of the
28 second degree and upon conviction thereof, the person shall be
29 sentenced to a term of imprisonment by the court. The term of
30 imprisonment shall include the imposition of a minimum term,
31 which shall be fixed at five years, during which the defendant shall
32 be ineligible for parole. If the defendant is sentenced to an
33 extended term of imprisonment pursuant to N.J.S.2C:43-7, the
34 extended term of imprisonment shall include the imposition of a
35 minimum term, which shall be fixed at, or between, one-third and
36 one-half of the sentence imposed by the court or five years,
37 whichever is greater, during which the defendant shall be ineligible
38 for parole.

39 (2) A person having been convicted in this State or elsewhere of
40 a disorderly persons offense involving domestic violence, whether
41 or not armed with or having in his possession a weapon enumerated
42 in subsection r. of N.J.S.2C:39-1, who purchases, owns, possesses
43 or controls a firearm is guilty of a crime of the third degree.

44 (3) A person whose firearm is seized pursuant to the "Prevention
45 of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et
46 seq.) and whose firearm has not been returned, or who is subject to
47 a court order prohibiting the possession of firearms issued pursuant
48 to the "Prevention of Domestic Violence Act of 1991," P.L.1991 ,

1 c.261 (C.2C:25-17 et seq.) who purchases, owns, possesses or
2 controls a firearm is guilty of a crime of the third degree, except
3 that the provisions of this paragraph shall not apply to any law
4 enforcement officer while actually on duty, or to any member of the
5 Armed Forces of the United States or member of the National
6 Guard while actually on duty or traveling to or from an authorized
7 place of duty.

8 (4) A person who is subject to a court order prohibiting the
9 custody, control, ownership, purchase, possession, or receipt of a
10 firearm or ammunition issued pursuant to the “Extreme Risk
11 Protective Order Act of 2018,” P.L. , c. (C.) (pending before
12 the Legislature as this bill) who purchases, acquires, owns,
13 possesses, or controls a firearm or ammunition is guilty of a crime
14 of the third degree.

15 c. Whenever any person shall have been convicted in another
16 state, territory, commonwealth or other jurisdiction of the United
17 States, or any country in the world, in a court of competent
18 jurisdiction, of a crime which in said other jurisdiction or country is
19 comparable to one of the crimes enumerated in subsection a. or b.
20 of this section, then that person shall be subject to the provisions of
21 this section.

22 (cf: P.L.2003, c.277, s.3)

23

24 ²[15.] 14.² N.J.S.2C:58-3 is amended to read as follows:

25 2C:58-3. a. Permit to purchase a handgun. No person shall sell,
26 give, transfer, assign or otherwise dispose of, nor receive, purchase,
27 or otherwise acquire a handgun unless the purchaser, assignee,
28 donee, receiver or holder is licensed as a dealer under this chapter
29 or has first secured a permit to purchase a handgun as provided by
30 this section.

31 b. Firearms purchaser identification card. No person shall sell,
32 give, transfer, assign or otherwise dispose of nor receive, purchase
33 or otherwise acquire an antique cannon or a rifle or shotgun, other
34 than an antique rifle or shotgun, unless the purchaser, assignee,
35 donee, receiver or holder is licensed as a dealer under this chapter
36 or possesses a valid firearms purchaser identification card, and first
37 exhibits the card to the seller, donor, transferor or assignor, and
38 unless the purchaser, assignee, donee, receiver or holder signs a
39 written certification, on a form prescribed by the superintendent,
40 which shall indicate that he presently complies with the
41 requirements of subsection c. of this section and shall contain his
42 name, address and firearms purchaser identification card number or
43 dealer's registration number. The certification shall be retained by
44 the seller, as provided in paragraph (4) of subsection a. of
45 N.J.S.2C:58-2, or, in the case of a person who is not a dealer, it may
46 be filed with the chief of police of the municipality in which he
47 resides or with the superintendent.

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

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

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

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

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

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

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

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

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

43 (9) To any person named on the consolidated Terrorist Watchlist
44 maintained by the Terrorist Screening Center administered by the
45 Federal Bureau of Investigation; or

46 (10) To any person who is subject to a court order prohibiting
47 the custody, control, ownership, purchase, possession, or receipt of
48 a firearm or ammunition issued pursuant to the "Extreme Risk

1 Protective Order Act of 2018,” P.L. , c. (C.) (pending before
2 the Legislature as this bill).

3 d. Issuance. The chief of police of an organized full-time
4 police department of the municipality where the applicant resides or
5 the superintendent, in all other cases, shall upon application, issue
6 to any person qualified under the provisions of subsection c. of this
7 section a permit to purchase a handgun or a firearms purchaser
8 identification card.

9 Any person aggrieved by the denial of a permit or identification
10 card may request a hearing in the Superior Court of the county in
11 which he resides if he is a resident of New Jersey or in the Superior
12 Court of the county in which his application was filed if he is a
13 nonresident. The request for a hearing shall be made in writing
14 within 30 days of the denial of the application for a permit or
15 identification card. The applicant shall serve a copy of his request
16 for a hearing upon the chief of police of the municipality in which
17 he resides, if he is a resident of New Jersey, and upon the
18 superintendent in all cases. The hearing shall be held and a record
19 made thereof within 30 days of the receipt of the application for a
20 hearing by the judge of the Superior Court. No formal pleading and
21 no filing fee shall be required as a preliminary to a hearing.
22 Appeals from the results of a hearing shall be in accordance with
23 law.

24 e. Applications. Applications for permits to purchase a
25 handgun and for firearms purchaser identification cards shall be in
26 the form prescribed by the superintendent and shall set forth the
27 name, residence, place of business, age, date of birth, occupation,
28 sex and physical description, including distinguishing physical
29 characteristics, if any, of the applicant, and shall state whether the
30 applicant is a citizen, whether he is an alcoholic, habitual drunkard,
31 drug dependent person as defined in section 2 of P.L.1970, c.226
32 (C.24:21-2), whether he has ever been confined or committed to a
33 mental institution or hospital for treatment or observation of a
34 mental or psychiatric condition on a temporary, interim or
35 permanent basis, giving the name and location of the institution or
36 hospital and the dates of confinement or commitment, whether he
37 has been attended, treated or observed by any doctor or psychiatrist
38 or at any hospital or mental institution on an inpatient or outpatient
39 basis for any mental or psychiatric condition, giving the name and
40 location of the doctor, psychiatrist, hospital or institution and the
41 dates of the occurrence, whether he presently or ever has been a
42 member of any organization which advocates or approves the
43 commission of acts of force and violence to overthrow the
44 Government of the United States or of this State, or which seeks to
45 deny others their rights under the Constitution of either the United
46 States or the State of New Jersey, whether he has ever been
47 convicted of a crime or disorderly persons offense, whether the
48 person is subject to a restraining order issued pursuant to the

1 "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261
2 (C.2C:25-17 et seq.) prohibiting the person from possessing any
3 firearm, whether the person is subject to a ²[restraining] protective²
4 order issued pursuant to the "Extreme Risk Protective Order Act of
5 2018." P.L. , c. (C.) (pending before the Legislature as this
6 bill) prohibiting the person from possessing any firearm, and other
7 information as the superintendent shall deem necessary for the
8 proper enforcement of this chapter. For the purpose of complying
9 with this subsection, the applicant shall waive any statutory or other
10 right of confidentiality relating to institutional confinement. The
11 application shall be signed by the applicant and shall contain as
12 references the names and addresses of two reputable citizens
13 personally acquainted with him.

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

17 The chief police officer or the superintendent shall obtain the
18 fingerprints of the applicant and shall have them compared with any
19 and all records of fingerprints in the municipality and county in
20 which the applicant resides and also the records of the State Bureau
21 of Identification and the Federal Bureau of Investigation, provided
22 that an applicant for a handgun purchase permit who possesses a
23 valid firearms purchaser identification card, or who has previously
24 obtained a handgun purchase permit from the same licensing
25 authority for which he was previously fingerprinted, and who
26 provides other reasonably satisfactory proof of his identity, need not
27 be fingerprinted again; however, the chief police officer or the
28 superintendent shall proceed to investigate the application to
29 determine whether or not the applicant has become subject to any of
30 the disabilities set forth in this chapter.

31 f. Granting of permit or identification card; fee; term; renewal;
32 revocation. The application for the permit to purchase a handgun
33 together with a fee of \$2, or the application for the firearms
34 purchaser identification card together with a fee of \$5, shall be
35 delivered or forwarded to the licensing authority who shall
36 investigate the same and, unless good cause for the denial thereof
37 appears, shall grant the permit or the identification card, or both, if
38 application has been made therefor, within 30 days from the date of
39 receipt of the application for residents of this State and within 45
40 days for nonresident applicants. A permit to purchase a handgun
41 shall be valid for a period of 90 days from the date of issuance and
42 may be renewed by the issuing authority for good cause for an
43 additional 90 days. A firearms purchaser identification card shall
44 be valid until such time as the holder becomes subject to any of the
45 disabilities set forth in subsection c. of this section, whereupon the
46 card shall be void and shall be returned within five days by the
47 holder to the superintendent, who shall then advise the licensing
48 authority. Failure of the holder to return the firearms purchaser

1 identification card to the superintendent within the five days shall
2 be an offense under subsection a. of N.J.S.2C:39-10. Any firearms
3 purchaser identification card may be revoked by the Superior Court
4 of the county wherein the card was issued, after hearing upon
5 notice, upon a finding that the holder thereof no longer qualifies for
6 the issuance of the permit. The county prosecutor of any county,
7 the chief police officer of any municipality or any citizen may apply
8 to the court at any time for the revocation of the card.

9 There shall be no conditions or requirements added to the form
10 or content of the application, or required by the licensing authority
11 for the issuance of a permit or identification card, other than those
12 that are specifically set forth in this chapter.

13 g. Disposition of fees. All fees for permits shall be paid to the
14 State Treasury if the permit is issued by the superintendent, to the
15 municipality if issued by the chief of police, and to the county
16 treasurer if issued by the judge of the Superior Court.

17 h. Form of permit; quadruplicate; disposition of copies. The
18 permit shall be in the form prescribed by the superintendent and
19 shall be issued to the applicant in quadruplicate. Prior to the time
20 he receives the handgun from the seller, the applicant shall deliver
21 to the seller the permit in quadruplicate and the seller shall
22 complete all of the information required on the form. Within five
23 days of the date of the sale, the seller shall forward the original
24 copy to the superintendent and the second copy to the chief of
25 police of the municipality in which the purchaser resides, except
26 that in a municipality having no chief of police, the copy shall be
27 forwarded to the superintendent. The third copy shall then be
28 returned to the purchaser with the pistol or revolver and the fourth
29 copy shall be kept by the seller as a permanent record.

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

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

37 (2) a collector of handguns as curios or relics as defined in Title
38 18, United States Code, section 921 (a) (13) who has in his
39 possession a valid Collector of Curios and Relics License issued by
40 the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

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

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

45 (5) any transaction where the person has purchased a handgun
46 from a licensed retail dealer and has returned that handgun to the
47 dealer in exchange for another handgun within 30 days of the

1 original transaction, provided the retail dealer reports the exchange
2 transaction to the superintendent; or

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

6 The provisions of this subsection shall not be construed to afford
7 or authorize any other exemption from the regulatory provisions
8 governing firearms set forth in chapter 39 and chapter 58 of Title
9 2C of the New Jersey Statutes;

10 A person shall not be restricted as to the number of rifles or
11 shotguns he may purchase, provided he possesses a valid firearms
12 purchaser identification card and provided further that he signs the
13 certification required in subsection b. of this section for each
14 transaction.

15 j. Firearms passing to heirs or legatees. Notwithstanding any
16 other provision of this section concerning the transfer, receipt or
17 acquisition of a firearm, a permit to purchase or a firearms
18 purchaser identification card shall not be required for the passing of
19 a firearm upon the death of an owner thereof to his heir or legatee,
20 whether the same be by testamentary bequest or by the laws of
21 intestacy. The person who shall so receive, or acquire the firearm
22 shall, however, be subject to all other provisions of this chapter. If
23 the heir or legatee of the firearm does not qualify to possess or carry
24 it, he may retain ownership of the firearm for the purpose of sale for
25 a period not exceeding 180 days, or for a further limited period as
26 may be approved by the chief law enforcement officer of the
27 municipality in which the heir or legatee resides or the
28 superintendent, provided that the firearm is in the custody of the
29 chief law enforcement officer of the municipality or the
30 superintendent during that period.

31 k. Sawed-off shotguns. Nothing in this section shall be
32 construed to authorize the purchase or possession of any sawed-off
33 shotgun.

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

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

48 (cf: P.L.2016, c.74, s.1)

1 ²**[16.]** ²15. ³(New section)³ The Supreme Court may promulgate
2 Rules of Court to effectuate the purposes of the “Extreme Risk
3 Protective Order Act of 2018,” P.L. , c. (C.) (pending before
4 the Legislature as this bill).

5
6 ²**[17.]** ²16. (New section) The Attorney General may adopt,
7 pursuant to the “Administrative Procedure Act,” P.L.1968, c. 410
8 (C.52:14B-1 et seq.), rules and regulations necessary to implement
9 the provisions of the “Extreme Risk Protective Order Act of 2018,”
10 P.L. , c. (C.) (pending before the Legislature as this bill).

11
12 ²**[18.]** ²17. This act shall take effect on the first day of the
13 ²**[seventh]** ²fifteenth month next following enactment, but the
14 Attorney General and the Administrative Director of the Courts
15 may take any anticipatory action as shall be necessary to effectuate
16 the purposes of this act.