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SYNOPSIS
Requires collection and reporting of certain firearms information to
interjurisdictional databases; requires information relating to crime of firearms
trafficking be included in annual Uniform Crime Report.

CURRENT VERSION OF TEXT
As reported by the Senate Law and Public Safety Committee on May 9,
2013, with amendments.
AN ACT concerning 2[certain seized and recovered] the reporting of
information relating to certain firearms 2[and] 2[Title 52 of the Revised Statutes] and amending P.L.1966, c.37.

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

1. 2[New section]2 The Legislature finds and declares that to
further provide for the public safety and the well being of the
citizens of this State, and to respond to growing dangers and threats
of gun violence, it is altogether fitting and proper for the law
enforcement departments and agencies of this State to fully
participate, through the utilization of electronic technology, in
interjurisdictional information and analysis sharing programs and
systems to deter and solve gun crimes.

To effectuate this objective, it shall be the policy of this State for
its various law enforcement agencies to utilize fully the federal
Criminal Justice Information System to transmit and receive
information relating to the seizure and recovery of firearms by law
enforcement, in particular the National Crime Information Center
System to determine whether a firearm has been reported stolen; the
Alcohol, Tobacco, Firearms, and Explosives E-Trace System to
establish the identity of a firearm’s first purchaser, where that
firearm was purchased and when it was purchased; and the National
Integrated Ballistics Identification Network to ascertain whether a
particular firearm is related to any other criminal event or person.

2[2. Whenever a law enforcement agency seizes or recovers any
firearm, the agency shall promptly enter the make, model, caliber,
and serial number of that firearm into the National Crime
Information Center 2000 System to determine whether that firearm
was reported stolen.]2

2. Section 3 of P.L.1966, c.37 (C.52:17B-5.3) is amended to
read as follows:

3. a. All local and county police authorities shall submit a
quarterly report to the Attorney General, on forms prescribed by the
Attorney General, which report shall contain the number and nature
of offenses committed within their respective jurisdictions, the
disposition of such matters, information relating to criminal street
gang activities within their respective jurisdictions, information
relating to any offense directed against a person or group, or their
property, by reason of their race, color, religion, gender, disability,
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sexual orientation, gender identity or expression, national origin, or
ethnicity and such other information as the Attorney General may
require, respecting information relating to the cause and prevention
of crime, recidivism, the rehabilitation of criminals and the proper
administration of criminal justice.

b. A law enforcement officer who responds to an offense
involving criminal street gang activity shall complete a gang related
incident offense report on a form prescribed by the Superintendent
of State Police. All information contained in the gang related
incident offense report shall be forwarded to the Superintendent of
State Police for inclusion in the Uniform Crime Report.

c. A law enforcement officer who seizes or recovers a firearm
that was unlawfully possessed, used for an unlawful purpose,
recovered from a crime scene or is reasonably believed to have been
used in or associated with the commission of a crime, or is
otherwise acquired as an abandoned or discarded firearm shall
complete, within 24 hours of the entering of the required
information relating to that firearm into the New Jersey Trace
System and such other State and federal database systems as
prescribed by the superintendent, a seized or recovered firearms
incident report on a form prescribed by the superintendent. The
incident report shall be filed with the State Police in a manner and
time prescribed by the superintendent.  

(cf:  P.L.2010, c.110, s.1)

3. Whenever a law enforcement agency seizes or recovers a
firearm that was unlawfully possessed, used for an unlawful purpose, recovered from the scene of a crime, is reasonably believed to have been used or associated with the commission of a crime, or is acquired by the agency as an abandoned or discarded firearm, the agency shall, as soon as may be practicable, but in no case more than 24 hours after the agency has taken possession of the firearm, enter the appropriate information relating to that firearm into the New Jersey Trace System which, as part of the federal Criminal Justice Information System, makes information relating to that firearm’s first purchaser and where and when it was purchased, available to all law enforcement agencies.

4. Whenever a law enforcement agency seizes or recovers a firearm that was unlawfully possessed, used for any unlawful purpose, recovered from the scene of a crime, is reasonably believed to have been used or associated with the commission of a crime, or is acquired by the agency as an abandoned or discarded firearm, the agency shall arrange for every such firearm that, in accordance with protocols promulgated by the Attorney General and superintendent, is determined to merit and be suitable for National Integrated Ballistics Identification System.
Network data entry and examination to be test-fired as soon as may be practicable and the results of that test-firing be forthwith submitted to the National Integrated Ballistics Identification Network to determine whether the firearm is associated or related to a crime, criminal event, or any individual associated or related to a crime or criminal event or reasonably believed to be associated or related to a crime or criminal event.

Whenever a law enforcement agency recovers any spent shell casing at a crime scene or has reason to believe that the recovered spent shell casing is related to or associated with the commission of a crime or the unlawful discharge of a firearm, the agency shall, as soon as may be practicable, submit the ballistics information to the National Integrated Ballistics Identification Network.

2[5.] 4. The Superintendent of State Police shall make available to the public quarterly reports summarizing firearms trace data received from the Bureau of Alcohol, Tobacco, Firearms, and Explosives. An initial report shall be issued summarizing data received within the preceding 10 years. Quarterly reports shall be issued summarizing data currently received. The reports shall include particular and aggregate information on:

a. The state of origin of the recovered firearm;
b. The identity and city location of the firearm’s source vendor;
c. The type of firearm recovered;
d. The manufacturer, make, and model of the recovered firearm;
e. The crime which was committed with the recovered firearm; and
f. Any other information the superintendent deems appropriate.1

1[5.] 2[6.] 5. This act shall take effect immediately on the first day of the fourth month following enactment, but the Attorney General may take such anticipatory action in advance thereof as shall be necessary for the implementation of this act2.