

CHAPTER 162

AN ACT concerning the reporting of information relating to certain firearms, supplementing 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:*

C.52:17B-9.18 Findings, declarations relative to information relating to certain firearms.

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

C.52:17B-5.3 Submission of reports relative to certain offenses, information.

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, 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.

C.52:17B-9.19 Report on certain seized, recovered firearms, shell casings.

3. 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 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.

4. This act shall take effect 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 act.

Approved September 18, 2013.