

CHAPTER 481

AN ACT concerning the sale of certain imitation firearms and supplementing Title 56 of the Revised Statutes.

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

C.56:17-1 Definitions, applicability, violations, penalties.

1. a. As used in this section:

“Toy gun” means a facsimile or reproduction of a firearm that is marketed as a product intended for children or is substantially similar in appearance, size, and shape to a genuine firearm.

b. A person shall not sell, transfer, or assign a toy gun or imitation firearm as defined in subsection v. of N.J.S.2C:39-1 unless it is:

- (1) a color other than black, blue, silver, or aluminum;
- (2) marked with a non-removable orange stripe that is at least one inch in width and runs the entire length of the barrel on each side of the barrel; and
- (3) equipped with a barrel at least one inch in diameter that is closed at a distance of at least one-half inch from the front end of the barrel with the same material from which the toy gun or imitation firearm is made; or
- (4) is regulated under and conforms with the provisions of 15 CFR 272.1 et seq.

c. The provisions of this section shall not apply to the sale of theatrical firearms for which a permit is issued by the Superintendent of the New Jersey State Police. The provisions of paragraph (3) of subsection b. of this section shall not apply to water guns.

d. A person who violates this act shall be subject to a penalty of not more than \$500 for the first offense and not more than \$1,000 for each subsequent offense, to be collected in a civil action by a summary proceeding under the “Penalty Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.).

C.56:17-2 Rules, regulations.

2. The Director of the Division of Consumer Affairs in the Department of Law and Public Safety shall adopt rules and regulations pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the provisions of this act.

3. This act shall take effect immediately.

Approved January 21, 2020.