

August 24, 2016

**ASSEMBLY BILL NO. 3689
(First Reprint)**

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 3689 (First Reprint) with my recommendations for reconsideration.

For decades, law-abiding residents of New Jersey have had their Second Amendment right to self-protection burdened by gun laws that are among the most unreasonable in the country. For example, to legally carry a handgun, a civilian must obtain approval by the chief of police and permission from a Superior Court judge by demonstrating that he or she is lawfully allowed to possess a firearm, is thoroughly familiar with the safe handling and use of handguns, and has a "justifiable need" to carry a handgun.

The "justifiable need" standard currently requires an applicant for a carry permit to demonstrate "the urgent necessity for self-protection, as evidenced by specific threats, or previous attacks, which demonstrate a special danger to the applicant's life that cannot be avoided by means other than by issuance of a permit to carry a handgun."

This standard has made it nearly impossible for a civilian in New Jersey to obtain a concealed carry permit. As a practical matter, anyone forced to demonstrate an "urgent necessity for self-protection" in order to obtain a permit to carry a handgun likely - and perhaps tragically - will receive one too late to protect themselves. This bill attempts to reinforce this onerous standard of questionable constitutionality by elevating it from regulation to statute.

Rather than doubling down on the unreasonable requirements for law-abiding residents of New Jersey to obtain a concealed carry permit, I propose having New Jersey join the 42 other

states that have adopted a "shall issue" standard for approving such applications. In "shall issue" states, permitting authorities shall issue a carry permit to any applicant who meets their requirements. We are among only eight states that have a burdensome and unreasonable standard. It is time to get in line with the rest of the nation.

Therefore, I recommend eliminating the "justifiable need" requirement altogether, which would enable an applicant to obtain a concealed carry permit if that applicant is not otherwise prohibited from obtaining a firearm and can demonstrate familiarity with the safe handling of a handgun. This will enable residents of New Jersey to exercise their Second Amendment rights, while still preventing dangerous persons from legally obtaining firearms.

Accordingly, I herewith return Assembly Bill No. 3689 (First Reprint) and recommend that it be amended as follows:

<u>Page 3, Section 1, Line 4:</u>	Delete "No application shall be approved by the" and insert "The"
<u>Page 3, Section 1, Line 5:</u>	After "superintendent" and insert "shall approve an application"
<u>Page 3, Section 1, Line 5:</u>	Delete "demonstrates" and insert "fails to demonstrate"
<u>Page 3, Section 1, Line 7:</u>	Delete "," and insert "and"
<u>Page 3, Section 1, Line 8:</u>	Delete ", and that he has a justifiable need to" and insert "."
<u>Page 3, Section 1, Lines 9-19:</u>	Delete in their entirety
<u>Page 3, Section 1, Line 33:</u>	Delete "," and insert "and"
<u>Page 3, Section 1, Line 34:</u>	Delete ", and that he has"
<u>Page 3, Section 1, Line 35:</u>	Delete in its entirety

Page 3, Section 1, Line 36:

Delete "provisions of
subsection c. of this
section"

[seal]

Respectfully,

/s/ Chris Christie

Governor

Attest:

/s/ Scott A. Coffina

Senior Deputy Chief Counsel