

August 24, 2016

**SENATE BILL NO. 816
(First Reprint)**

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 816 (First Reprint) with my recommendations for reconsideration.

In 2002, the legislature passed the idealistic "Personalized Handgun" law requiring that only firearms equipped with technology ensuring that they can be fired only by a recognized user be available for purchase within the State. More than a decade later, the law has never been used because the technology imagined by lawmakers did not exist then and still does not exist today. Last session, the legislature recognized its mistake and passed a bill that would have removed that overly burdensome and anti-free-market statute. However, the bill would have also replaced one unnecessary mandate with another unjustified restriction on firearms sales, this time targeting firearms retailers, so I did not sign it into law.

This bill is reflective of the relentless campaign by the Democratic legislature to make New Jersey as inhospitable as possible to lawful gun ownership and sales, and I refuse to allow that to happen. When the legislature tried to broadly expand the assault weapons ban, I vetoed it. When the legislature tried to lower the magazine capacity from a maximum of 15 rounds to 10, I vetoed that bill also. Most notably, I have not hesitated to use my authority as governor to pardon deserving individuals whom I believe have been unjustly charged or convicted under our State's overly-restrictive gun laws.

This bill would require firearms dealers to purchase and stock personalized handguns, regardless of whether there is any demand for such firearms. Most offensively, this mandate represents yet another constraint on businesses within the

State, and likely is unconstitutional under the Commerce Clause. It also would introduce unnecessary bureaucracy into the analysis of whether firearms equipped with this anticipated technology will represent a reliable option for individuals to protect themselves and their families in their homes. There is no telling what the next step would be down this path of gun restrictions if this bill were enacted.

I nevertheless wholeheartedly support a repeal of the current law that bans the sale of traditional firearms once personalized handguns are determined to be available for retail sale. Thus, I recommend amending the bill to do just that: repeal the stifling "smart gun" mandate and allow free market forces to determine the reliability and commercial viability of personalized handguns.

Accordingly, I herewith return Senate Bill No. 816 (First Reprint) and recommend that it be amended as follows:

<u>Page 2, Section 1, Lines 8-43:</u>	Delete in their entirety
<u>Page 3, Section 1, Lines 1-10:</u>	Delete in their entirety
<u>Page 3, Section 2, Lines 12-42:</u>	Delete in their entirety
<u>Page 3, Section 3, Lines 44-48:</u>	Delete in their entirety
<u>Page 4, Section 3, Lines 1-44:</u>	Delete in their entirety
<u>Page 4, Section 4, Lines 46-48:</u>	Delete in their entirety
<u>Page 5, Section 4, Lines 1-38:</u>	Delete in their entirety
<u>Page 5, Section 5, Lines 40-47:</u>	Delete in their entirety
<u>Page 6, Section 5, Lines 1-9:</u>	Delete in their entirety
<u>Page 6, Section 6, Lines 11-26:</u>	Delete in their entirety
<u>Page 6, Section 7, Lines 28-48:</u>	Delete in their entirety
<u>Page 7, Section 7, Lines 1-47:</u>	Delete in their entirety
<u>Page 8, Section 7, Lines 1-48:</u>	Delete in their entirety
<u>Page 9, Section 7, Lines 1-48:</u>	Delete in their entirety
<u>Page 10, Section 7, Lines 1-48:</u>	Delete in their entirety
<u>Page 11, Section 7, Lines 1-33:</u>	Delete in their entirety

Page 11, Section 8, Line 35: Delete "8." and insert "1."

Page 13, Section 8, Lines 7-8: Delete in their entirety and insert "this list pursuant to section 3 of P.L.2002, c.130 (C.2C:58-2.4)."

Page 16, Section 9, Lines 27-46: Delete in their entirety

Page 17, Section 10, Line 1: Delete "10." and insert "2."

Page 17, Section 10, Lines 4-6: Delete in their entirety and insert "Section 1 of P.L.2002, c.130 (C.2C:58-2.2); and Section 4 of P.L.2002, c.130 (C.2C:58-2.5)."

Page 17, Section 11, Line 8: Delete "11." and insert "3."

Page 17, Section 11, Line 8: Delete "on the first" and insert "immediately."

Page 17, Section 11, Lines 9-12: Delete in their entirety

Respectfully,

[seal]

/s/ Chris Christie

Governor

Attest:

/s/ Scott A. Coffina

Senior Deputy Chief Counsel