



New Jersey Gives the Raspberry to the Supreme Court's Second Amendment Ruling

The day after the Supreme Court [gave full throat](#) to the Second Amendment's guarantee of the right of a citizen to keep and bear arms in public (while striking down New York's onerous restrictions on such ownership) back in June, anti-gun Democratic New Jersey Governor Phil Murphy announced he would find a way to "work around" the high court's ruling.

The ruling in *Bruen — New York State Rifle & Pistol Association, Inc. v. Bruen* — struck down New York's "proper cause" requirement and, by implication, New Jersey's "justifiable need" requirement for a citizen to be able to exercise his Second Amendment rights.

So, New Jersey Democrats, fully in control of both houses of the Legislature and the governor's mansion, [launched bill A4769, which Murphy signed into law last week.](#)



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Under New Jersey's old law, now discarded, virtually no one (except the elite, of course) could own a firearm. Under Murphy's new law, no one may carry a firearm virtually anywhere. According to a lawsuit filed immediately after Murphy signed A4769 into law:

A4769 unconstitutionally suppresses the fundamental right to bear arms in: parks, beaches, libraries, museums, theatres, playgrounds, zoos, medical offices, sports arenas, restaurants, public gatherings, casinos, one's own car and other vehicles, and presumptively all private property.

The bill also makes it nearly impossible for a citizen to obtain permission to purchase a firearm, despite the *Bruen* decision. The law prohibits the issuance of permits based on "character" and "temperament," uses social media posts by the applicant as valid reasons for denying a permit, and requires four — *four!* — endorsements by unrelated parties assuring the governmental authorities of the applicant's character. Furthermore, local law enforcement officials will then interview each of those four endorsers to make sure that *they* aren't somehow in violation of some law themselves.

The permitting fee, under the new law, is raised from \$50 to \$200, and liability insurance is required to be purchased by the application. Unfortunately, there are no carriers presently providing such coverage in New Jersey.

Not surprisingly, the new law creates a "special class" of citizens — public officials — to whom the new law doesn't apply (no permit required, and few restrictions on where they may carry a firearm).



Written by [Bob Adelman](#) on December 26, 2022

[The lawsuit filed on the same day](#) that Murphy signed the bill into law pointed out the hypocrisy of the new law:

When [We] the People, by enacting that [Second] amendment, enshrined in their fundamental charter the right to “carry weapons in case of confrontation” for the “core lawful purpose of self-defense” [quoting from the high court’s ruling in *District of Columbia v. Heller*], they [the Founders] did not mean to leave the freedom to exercise that right at the mercy of the very government officials whose hands they sought to bind.

The *Bruen* decision in June struck down “may issue” laws in several states. California, Maryland, Massachusetts, Hawaii, Connecticut, Rhode Island, and Delaware either moved to remove the offending statutes from their books or were considering making such changes. New York and New Jersey are instead giving the raspberry to the high court.

They are swimming upstream. Since the June ruling by the high court, nearly one million citizens in those former “may issue” states have purchased a firearm. Nationally, background checks are averaging nearly two million a month.

And [a recent poll by the Marquette University School of Law](#) revealed that almost two out of every three citizens support the *Bruen* decision.

So, New York and New Jersey are outliers in the great debate over the Second Amendment versus state government restrictions and limitations. The lawsuit, brought by the Association of New Jersey Rifle & Pistol Clubs, Inc., an NRA affiliate, was filed in the U.S. District Court of New Jersey. It asks simply that the court declare “*immediate and urgent* injunctive relief ... [and rule] that New Jersey’s brand new law ... is unconstitutional.” (Emphasis in original.)



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