



Written by [David Kelly](#) on May 17, 2023

Federal Judge Blocks Most of New Jersey Gun Law

New Jersey's revised gun permit law, [Chapter 131](#), suffered another defeat in federal court on Tuesday as a judge granted a preliminary [injunction](#) ordering state officials not to enforce strict measures of the law for the duration of litigation brought by gun-rights advocates.

The ruling, issued by U.S. District Judge Renée Marie Bumb, expands upon a January temporary [restraining order](#) that blocks the section of the law that prohibits concealed handguns at public libraries, museums, bars, restaurants that serve alcohol, and entertainment facilities such as stadiums, concerts, and theaters. The order also barred the state from enforcing the law's ban on guns on private property without the property owner's consent and its prohibition on firearms in vehicles.

Tuesday's injunction prohibits the state from requiring gun owners to get liability insurance, which was to take effect on July 1. It also blocks the provision requiring in-person interviews of character references for gun applicants.

The Second Amendment Foundation (SAF), one of the groups challenging the new law, stated in a [press release](#):

In her meticulously-researched [235-page ruling](#), Chief U.S. District Court Judge Renee Marie Bumb writes, "The Constitution leaves the States some measures to combat handgun violence. But what the Second Amendment prohibits the States from doing, and what the State of New Jersey has done here with much of Chapter 131, is to 'prevent law-abiding citizens with ordinary self-defense needs from exercising their right to keep and bear arms.' That is plainly unconstitutional."

Judge Bumb's order follows last year's Supreme Court ruling in a New York case known as [Bruen](#), which upheld the constitutional right to carry guns. State Democrat legislatures led by Governor Phil Murphy reacted to the SCOTUS ruling with fast tracking Chapter 131, allowing concealed carry by citizens while greatly restricting where guns were allowed. Murphy signed the measure into law last December, prompting gun-rights advocates such as the Association of New Jersey Pistol and Rifle Clubs to [announce](#) the filing of "an epic federal lawsuit seeking to swiftly and decisively block the blatantly unconstitutional new measure."

In the injunction's introduction, Bumb pointing out the state's over-reach, writing:

This Court is painfully aware of the gun violence that has plagued our Nation. But what the



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State and the Legislature-Intervenors ignore, and what their empirical evidence fails to address, is that this legislation is aimed primarily—not at those who unlawfully possess firearms — but at law-abiding, responsible citizens who satisfy detailed background and training requirements and whom the State seeks to prevent from carrying a firearm in public for self-defense.... Our Founding Fathers were aware of the dangers such laws pose.

New Jersey Attorney General Matthew J. Platkin (D) disagreed, responding to the court’s ruling by filing an appeal with the Third Circuit Court of Appeals.

According to the [New Jersey Monitor](#), Platkin stated:

“Over and over, the evidence has shown that keeping firearms out of sensitive places will keep our residents safe, and our elected officials passed sensible laws to do exactly that,” Platkin said in a statement. “But the court now insists that we are powerless to protect New Jersey residents and proclaims that the Second Amendment requires allowing guns at parks and beaches, in libraries, at public gatherings, in zoos, and even in bars, among other sensitive places. This decision is bad constitutional law and bad for New Jersey.”

With the appeal in place, the lawsuit is far from over for all the litigants, although the judge’s comprehensive ruling will make it tough for the state to overturn, and, as the SAF [stated](#), “Judge Bumb’s ruling clearly recognizes the issues we raised with New Jersey’s restrictive gun law, and she’s fired a legal shot across the state’s bow,”

The best advice offered to the governor and state on how to proceed with the lawsuit [reportedly](#) came from Scott Bach, executive director of the Association of New Jersey Rifle & Pistol Clubs. Bach said, “The governor needs to see the handwriting on the wall and pivot from trying to block self-defense by law-abiding citizens to going after violent criminals instead.”



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