

Senate Bill 923

Sponsored by Senator THATCHER

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows person to carry concealed firearm on person or in vehicle if person can legally possess firearms under Oregon law and person is protected by court order and has pending application for, or appointment to submit application for, concealed handgun license.

A BILL FOR AN ACT

1
2 Relating to the possession of firearms by persons protected by a court order prohibiting another
3 person from contacting the person; creating new provisions; and amending ORS 166.260.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 166.260 is amended to read:

6 166.260. (1) ORS 166.250 does not apply to or affect:

7 (a) A parole and probation officer, police officer or reserve officer, as those terms are defined
8 in ORS 181A.355.

9 (b) A federal officer, as defined in ORS 133.005, or a certified reserve officer or corrections of-
10 ficer, as those terms are defined in ORS 181A.355, while the federal officer, certified reserve officer
11 or corrections officer is acting within the scope of employment.

12 (c) An honorably retired law enforcement officer, unless the person who is a retired law
13 enforcement officer has been convicted of an offense that would make the person ineligible to obtain
14 a concealed handgun license under ORS 166.291 and 166.292.

15 (d) Any person summoned by an officer described in paragraph (a) or (b) of this subsection to
16 assist in making arrests or preserving the peace, while the summoned person is engaged in assisting
17 the officer.

18 (e) The possession or transportation by any merchant of unloaded firearms as merchandise.

19 (f) Active or reserve members of:

20 (A) The Army, Navy, Air Force, Coast Guard or Marine Corps of the United States, or of the
21 National Guard, when on duty;

22 (B) The commissioned corps of the National Oceanic and Atmospheric Administration; or

23 (C) The Public Health Service of the United States Department of Health and Human Services,
24 when detailed by proper authority for duty with the Army or Navy of the United States.

25 (g) Organizations which are by law authorized to purchase or receive weapons described in ORS
26 166.250 from the United States, or from this state.

27 (h) Duly authorized military or civil organizations while parading, or the members thereof when
28 going to and from the places of meeting of their organization.

29 (i) A person who is licensed under ORS 166.291 and 166.292 to carry a concealed handgun.

30 (2) It is an affirmative defense to a charge of violating ORS 166.250 (1)(c)(C) that the person has
31 been granted relief from the disability under ORS 166.274.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 (3) Except for persons who are otherwise prohibited from possessing a firearm under ORS
2 166.250 (1)(c) or 166.270, ORS 166.250 does not apply to or affect:

3 (a) Members of any club or organization, for the purpose of practicing shooting at targets upon
4 the established target ranges, whether public or private, while such members are using any of the
5 firearms referred to in ORS 166.250 upon such target ranges, or while going to and from such
6 ranges.

7 (b) Licensed hunters or fishermen while engaged in hunting or fishing, or while going to or re-
8 turning from a hunting or fishing expedition.

9 (c) **A person protected by a stalking protective order, a restraining order as defined in**
10 **ORS 24.190 or any other court order prohibiting another person from contacting the person,**
11 **provided that the person:**

12 (A) **Has a pending application for a concealed handgun license under ORS 166.291 and**
13 **166.292; or**

14 (B) **Has a scheduled appointment to submit an application for a concealed handgun li-**
15 **cence under ORS 166.291 and 166.292.**

16 (4) The exceptions listed in subsection (1)(d) to (i) of this section constitute affirmative defenses
17 to a charge of violating ORS 166.250.

18 **SECTION 2. The amendments to ORS 166.260 by section 1 of this 2017 Act apply to**
19 **firearm possessions occurring on or after the effective date of this 2017 Act.**

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