

# House Bill 3329

Sponsored by Representatives WILLIAMSON, SMITH WARNER

## 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 gun dealer or person transferring firearms, firearm accessories, firearm components, ammunition or ammunition components for purchase at gun show, or business engaged in repairing or servicing firearms to establish minimum age of 21 years for such purchases, repairs or services.

Creates exemption from antidiscrimination statute for enforcement of policies that impose age-based restrictions on purchase of firearms, firearm accessories, firearm components, ammunition or ammunition components or on repairing or servicing of firearms in place of public accommodation.

## A BILL FOR AN ACT

1  
2 Relating to minimum age restrictions in places of public accommodation; creating new provisions;  
3 amending ORS 659A.403.

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

5 **SECTION 1. (1) A gun dealer, a person transferring a firearm, a firearm accessory, a**  
6 **firearm component, ammunition or an ammunition component at a gun show, or a business**  
7 **engaged in repairing or servicing a firearm, may establish a minimum age of 21 years for the**  
8 **purchase of firearms, firearm accessories, firearm components, ammunition or ammunition**  
9 **components or for the repair or service of a firearm.**

10 (2) As used in this section and ORS 659A.403:

11 (a) "Antique firearm" has the meaning given that term in ORS 166.210.

12 (b) "Ammunition component" includes primers, powder and accessories that are used to  
13 create, modify or reload ammunition.

14 (c) "Firearm" has the meaning given that term in ORS 166.210 but does not include an  
15 antique firearm.

16 (d) "Firearm accessory" means any device that attaches to a firearm, or that is used in  
17 or facilitates the operation of a firearm, including but not limited to stocks, grips, detachable  
18 magazines and speedloaders.

19 (e) "Firearm component" means any part of a firearm that is material to the function  
20 of the firearm.

21 (f) "Gun dealer" has the meaning given that term in ORS 166.412.

22 (g) "Gun show" has the meaning given that term in ORS 166.432.

23 **SECTION 2.** ORS 659A.403 is amended to read:

24 659A.403. (1) Except as provided in subsection (2) of this section, all persons within the juris-  
25 diction of this state are entitled to the full and equal accommodations, advantages, facilities and  
26 privileges of any place of public accommodation, without any distinction, discrimination or re-  
27 striction on account of race, color, religion, sex, sexual orientation, national origin, marital status  
28 or age if the individual is of age, as described in this section, or older.

29 (2) Subsection (1) of this section does not prohibit:

**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 (a) The enforcement of laws governing the consumption of alcoholic beverages by minors and  
2 the frequenting by minors of places of public accommodation where alcoholic beverages are served;

3 (b) The enforcement of laws governing the use of marijuana items, as defined in ORS 475B.015,  
4 by persons under 21 years of age and the frequenting by persons under 21 years of age of places  
5 of public accommodation where marijuana items are sold; [*or*]

6 (c) The offering of special rates or services to persons 50 years of age or older[.];

7 **(d) A gun dealer or person transferring a firearm, a firearm accessory, a firearm com-**  
8 **ponent, ammunition or an ammunition component at a gun show from enforcing minimum**  
9 **age restrictions of 21 years, pursuant to section 1 of this 2019 Act, on the purchase of**  
10 **firearms, firearm accessories, firearm components, ammunition or ammunition components;**  
11 **or**

12 **(e) A business engaged in the repairing and servicing of firearms from enforcing mini-**  
13 **imum age restrictions of 21 years, pursuant to section 1 of this 2019 Act, for the repair or**  
14 **service of a firearm.**

15 (3) It is an unlawful practice for any person to deny full and equal accommodations, advantages,  
16 facilities and privileges of any place of public accommodation in violation of this section.

17 **(4) The definitions in section 1 of this 2019 Act apply to this section.**

18 **SECTION 3. (1) Except as provided in subsection (2) of this section, the amendments to**  
19 **ORS 659A.403 by section 2 of this 2019 Act apply to all causes of action under ORS 659A.403,**  
20 **whether arising before, on or after the effective date of this 2019 Act.**

21 **(2)(a) The amendments to ORS 659A.403 by section 2 of this 2019 Act do not apply to any**  
22 **action under ORS 659A.403 for which a final judgment has been entered into before the ef-**  
23 **fective date of this 2019 Act.**

24 **(b) As used in this subsection, “final judgment” means a judgment for which the time to**  
25 **appeal has expired without any party filing an appeal or that is not subject to further appeal**  
26 **or review.**