

SB 1538 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Action Date: 02/12/20

Action: Do pass and requesting referral to Rules.

Vote: 4-3-0-0

Yeas: 4 - Dembrow, Gelser, Manning Jr, Prozanski

Nays: 3 - Linthicum, Olsen, Thatcher

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Gillian Fischer, Counsel

Meeting Dates: 2/12

WHAT THE MEASURE DOES:

Authorizes city, county, metropolitan service district, school district, college or university to adopt ordinance or policy limiting or precluding affirmative defense for possession of firearms in public buildings by concealed handgun licensees. Modifies definition of “public building” for purposes of crime of unlawful possession of weapon in public building. Requires entity to post publicly visible signs in all areas ordinance limiting said affirmative defense is applicable.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under ORS 166.370, it is a Class C felony for any person to intentionally possess a loaded or unloaded firearm or any other instrument used as a dangerous weapon, while in or on a public building unless the individual is licensed to carry a concealed handgun under ORS 166.291 and 166.292.

Senate Bill 1538 allows certain public entities to adopt policies limiting the exemption allowing licensed individuals to carry concealed handguns in public buildings as defined by the measure.