

Requested by Representative LEWIS

**PROPOSED AMENDMENTS TO
HOUSE BILL 4005**

1 On page 1 of the printed bill, line 2, after “requirements” delete the rest
2 of the line and insert a period.

3 Delete lines 3 through 19.

4 On page 2, delete lines 1 through 12 and delete lines 14 through 45.

5 Delete pages 3 through 6 and insert:

6 **“SECTION 1. (1) As used in this section:**

7 **“(a) ‘Authorized person’ means a person authorized by the owner**
8 **or possessor of a firearm to carry or control the firearm.**

9 **“(b) ‘Firearm’ has the meaning given that term in ORS 166.210, ex-**
10 **cept that it does not include a firearm that has been rendered perma-**
11 **nently inoperable.**

12 **“(2) A person who owns or possesses a firearm shall, at all times**
13 **that the firearm is not carried by or under the control of the person**
14 **or an authorized person, secure the firearm.**

15 **“(3) This section does not apply to a person who owns or possesses**
16 **a firearm if:**

17 **“(a) The person and the firearm are within the person’s own home;**
18 **and**

19 **“(b) The person reasonably believes that the firearm must be read-**
20 **ily accessible for the protection of self or others, and therefore cannot**
21 **be secured as described in subsection (2) of this section.**

1 **“SECTION 2. Section 3 of this 2020 Act is added to and made a part**
2 **of ORS chapter 315.**

3 **“SECTION 3. (1) As used in this section:**

4 **“(a) ‘Locking firearm container’ means a box, case, chest, locker,**
5 **safe or other similar receptacle, capable of storing a firearm and**
6 **equipped with a tamper-resistant lock.**

7 **“(b)(A) ‘Qualifying gun safe’ means a commercially available gun**
8 **safe that is made from steel and equipped with a tamper-resistant**
9 **lock.**

10 **“(B) ‘Qualifying gun safe’ does not include a glass-faced cabinet.**

11 **“(2) A credit against tax otherwise due under ORS chapter 316 shall**
12 **be allowed for the purchase of one or more qualifying gun safes or**
13 **locking firearm containers during the tax year.**

14 **“(3) The amount of the credit allowed under this section shall equal**
15 **the lesser of:**

16 **“(a) The total purchase price of all qualifying gun safes and locking**
17 **firearm containers purchased by the taxpayer in the tax year; or**

18 **“(b) \$250.**

19 **“(4) The credit allowed under this section may not exceed the tax**
20 **liability of the taxpayer.**

21 **“(5) The credit allowed under this section shall be claimed on a**
22 **form prescribed by the Department of Revenue that contains the in-**
23 **formation required by the department.**

24 **“(6) In the case of a credit allowed under this section:**

25 **“(a) A nonresident shall be allowed the credit in the proportion**
26 **provided in ORS 316.117.**

27 **“(b) If a change in the status of the taxpayer from resident to**
28 **nonresident or from nonresident to resident occurs, the credit shall**
29 **be determined in a manner consistent with ORS 316.117.**

30 **“(c) If a change in the taxable year of the taxpayer occurs as de-**

1 scribed in ORS 314.085, or if the department terminates the taxpayer's
2 taxable period under ORS 314.440, the credit shall be prorated or com-
3 puted in a manner consistent with ORS 314.085.

4 **“SECTION 4. (1)(a) A person who owns, possesses or controls a**
5 **firearm shall report the loss or theft of the firearm to a law enforce-**
6 **ment agency in the jurisdiction in which the loss or theft occurred as**
7 **soon as practicable.**

8 **“(b) A person may include the serial number of the firearm in a**
9 **report under this subsection.**

10 **“(2)(a) Within 24 hours after receiving a report under subsection (1)**
11 **of this section, a law enforcement agency shall create a record con-**
12 **cerning the lost or stolen firearm in the Law Enforcement Data Sys-**
13 **tem or another electronic database as determined by the Department**
14 **of State Police.**

15 **“(b) A law enforcement agency is exempt from the obligation de-**
16 **scribed in paragraph (a) of this subsection if the agency is unable to**
17 **create a record concerning the lost or stolen firearm in the electronic**
18 **database due to insufficient information.**

19 **“(c) The department may adopt rules to carry out the provisions**
20 **of this subsection.**

21 **“SECTION 5. Section 3 of this 2020 Act applies to tax years begin-**
22 **ning on or after January 1, 2021.”.**

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