

HB 2481 -2, -3, -5 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Michael Lantz, Counsel

Meeting Dates: 2/8, 2/22, 2/24

WHAT THE MEASURE DOES:

Prohibits Oregon law enforcement agencies from receiving certain military surplus vehicles, aircraft, grenades, grenade launchers, and firearms silencers from the federal government. Limits what funds can be used to purchase surplus military equipment from the federal government. Requires law enforcement agency requesting surplus equipment to publish notice on public website within 14 days of request. Specifies definitions. Takes effect 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Similar legislation in other states
- Concerns about militarization of law enforcement
- Types of federal surplus programs
- Law enforcement use of armored vehicles

EFFECT OF AMENDMENT:

-2 Removes public notice requirement and prohibitions on purchasing military surplus equipment with federal funds. Allows law enforcement agency to obtain listed equipment if authorized by a specified authority.

-3 Replaces measure. Prohibits Oregon law enforcement agencies from receiving certain aircraft, grenades, grenade launchers, and firearms silencers from the federal government. Limits what funds can be used to purchase surplus military equipment from the federal government. Specifies notice that must be given, and authorization received, before military surplus equipment not prohibited by measure can be received by various law enforcement agencies. Defines "law enforcement agency" and specifies definitions for "firearms silencer," "police officer," and "unmanned aircraft system."

-5 Replaces measure. Prohibits Oregon law enforcement agencies from receiving certain aircraft, grenades, grenade launchers, and firearms silencers from the federal government. Limits what funds can be used to purchase surplus military equipment from the federal government. Specifies notice that must be given, and authorization received, before military surplus equipment not prohibited by measure can be received by various law enforcement agencies. Specifies definitions for "firearms silencer," "police officer," and "unmanned aircraft system." Defines "law enforcement agency" to exclude tribal law enforcement.

BACKGROUND:

Nationwide, many law enforcement agencies receive grants for personnel, training, and equipment from the federal government. These grants, or internal agency funds, can often be used to purchase equipment directly from federal agencies. Other federal programs allow agencies to receive surplus equipment for free, through agencies such as the Defense Logistics Agency (DLA). The DLA manages surplus military equipment and supplies for the United States Department of Defense and has been authorized by Congress to transfer certain equipment to state and local law enforcement agencies. However, according to the DLA's website, it is prohibited from transferring equipment such as tanks, large caliber weapons and munitions, body armor, and explosives or pyrotechnics. Still, it may be possible for law enforcement agencies to purchase or receive this equipment from other federal agencies, including the United States Departments of Justice and Homeland Security, or through commercial sources.

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House Bill 2481 prohibits law enforcement agencies in Oregon from receiving certain surplus military equipment and requires agencies purchasing any surplus military equipment to notify the public and use only state or local funds.