

HB 2510 -1, -2, -4 STAFF MEASURE SUMMARY

House Committee On Health Care

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Meeting Dates: 3/11, 3/30

WHAT THE MEASURE DOES:

Requires owner or possessor of firearm to secure firearm with trigger or cable lock or in locked container except in specified circumstances. Provides that violation of this requirement is a Class C violation for each firearm found in violation. Provides that it is a Class A violation if a minor obtains an unsecured firearm stored in violation of this Act and the owner of the firearm knew or should have known that a minor could gain unauthorized access to the firearm. Applies strict liability for injury caused by a firearm stored unsecured in violation of this Act within two years of the violation. Requires a person who owns, possesses, or controls a firearm to report a loss or theft of the firearm to law enforcement as soon as practicable, but not later than 72 hours from the time the person knew or reasonably should have known of the loss or theft. Allows for exception to 72 hours if no means of reporting is reasonably available. Makes a Class B violation for each firearm an individual fails to report lost or stolen. Specifies individual is strictly liable for injury to a person or property by an unsecured firearm within two years of the violation. Exempts law enforcement officers from requirements if law enforcement agency policy applies to storage of certain firearms possessed by officers. Requires person transferring firearm to minor to directly supervise minor's use of firearm unless minor is owner of firearm. Specifies requirements for transfer of a firearm. Requires Oregon Health Authority (OHA) to adopt rules in consultation with Department of State Policy specifying standards for trigger locks, cable locks, and containers. Requires gun dealers to post signage summarizing safe storage requirements. Declares emergency, effective on passage.

REVENUE: statement issued - minimal impact.

FISCAL: May have fiscal impact, but no statement yet issued.

ISSUES DISCUSSED:

- Children, youth, young adults, and mental health
- Suicide by firearm; unsecured firearms
- Unintentional discharge of firearms
- Lost or stolen firearms, reporting timelines, and applicable circumstances
- Need for outreach and education on firearm safety
- Types of firearm locks and gun safes
- Compliance and enforceability of proposed law and personal responsibility
- Criminal trespassing, felons, and self-defense

EFFECT OF AMENDMENT:

-1 Modifies evidence of liability if an owner violates the storage provisions and a firearm injures a person or property.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

-2 **Replaces the measure.** Removes emergency clause. Requires Department of Education (DOE) to develop firearm safety education curriculum for grades seven through nine. Allows DOE to contract with a third-party to develop curriculum and provide instruction. Specifies an individual who lawfully owns and stores a firearm in their home or motor vehicle is safely and lawfully storing the firearm.

This summary has not been adopted or officially endorsed by action of the committee.

HB 2510 -1, -2, -4 STAFF MEASURE SUMMARY

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

-4 Replaces the measure. Defines terms. Requires a person who owns or possesses a firearm, while not carried or under the control of the person, to take reasonable steps to secure the firearm to prevent unauthorized access including use of trigger or cable lock, locked container, storage in a gun room. Defines locking firearm container, control, and gun room. Establishes Class A and C violations. Exempts law enforcement from requirements if law enforcement agency policy applies to storage of certain firearms possessed by a police officer. Specifies requirements for transfer of a firearm including control provisions and creates Class C violation for failure to safely transfer firearm. Requires a person who owns, possesses or controls a firearm to report a loss or theft of the firearm to law enforcement as soon as practicable, but not later than 72 hours from the time the person knew or reasonably should have known of the loss or theft. Allows for 24 hour exception to 72 hour provision if no means of reporting is reasonably available. Makes a Class B violation for each firearm an individual fails to report lost or stolen. Makes a Class B violation for each firearm an individual fails to report lost or stolen. Requires a law enforcement agency to create a record concerning a lost or stolen firearm in the Law Enforcement Data System within 24 hours of receiving a report of a lost or stolen firearm unless the agency is unable to create a record due to insufficient information. Directs OHA and Department of State Police to adopt rules for trigger locks, cable locks, and containers no later than Jan. 1, 2022. Requires gun dealers to post signage summarizing safe storage requirements. Declares emergency, effective on passage.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

BACKGROUND:

Firearm injury is a leading cause of premature death in the United States. According to the National Center for Health Statistics and the Centers for Disease Control and Prevention, in 2017, 486 people in the United States died of unintentional gun injuries. 23,854 people committed suicide with a gun and 14,542 people were intentionally killed by gun injuries. About 10 percent of these deaths were children.

Among U.S. adolescents and young adults 10-24 years old, gun homicides are the third leading cause of death; gun suicides are the second. In 2010, 15,576 children were treated for gun injuries in U.S. emergency departments, and 1,970 of them died. Studies have found that adolescents' risk for suicide increases as their access to firearms increases. Suicide attempts in children are more likely to be successful when they have access to lethal weapons; 90 percent of suicide attempts with guns are successful, compared to less than 5 percent of suicide attempts using less lethal means, like medications or sharp objects. The risk for unintentional injury and suicide in children is reduced when guns are kept locked.

Public health experts work to conduct surveillance to track gun-related deaths and injuries, identify causes of firearm injuries and death, identify risk factors associated with gun violence (e.g., poverty and depression), and seek to develop, implement, and evaluate interventions to reduce risk factors and promote prevention strategies (American Public Health Association). The Oregon Health Authority's Public Health Division reports firearm fatalities occur due to suicide, homicide, legal intervention, unintentional shootings, and undetermined intent shootings. Most firearm deaths in Oregon are due to suicide. Males are nearly six times more likely than females to die from a firearm injury. Older males (age ≥ 65 years) have the highest risk of death by firearm suicide. Young adults 18 to 24 years old are at the highest risk of being victims of homicide by firearm (2016). A 2017 Oregon Health & Science University report stated, in Oregon, an average of 456 people die annually from gun-related injuries, a rate of 11.7 per 100,000. The majority of these gun injury deaths is a result of suicide, followed by

HB 2510 -1, -2, -4 STAFF MEASURE SUMMARY

homicide.

House Bill 2510 establishes standards for the transfer, storage, and reporting the loss or theft of firearms.

PRELIMINARY