

Minority Report
A-Engrossed
Senate Bill 554

Ordered by the Senate March 22
Including Senate Minority Report Amendments dated March 22

Sponsored by nonconcurring members of the Senate Committee on Judiciary and Ballot Measure 110 Implementation: Senators LINTHICUM, THATCHER

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.

[Authorizes city, county, metropolitan service district, port operating commercial airport, 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 possession of weapon in public building, to include certain airport areas, buildings owned or controlled by public bodies and real property owned by college or university. Punishes violation by maximum of five years' imprisonment, \$125,000 fine, or both.]

[Increases fees payable to county sheriff for issuance and renewal of concealed handgun license.]

Enacts statutory versions of Article I, section 27, of Oregon Constitution, and Second Amendment to United States Constitution.

Directs Legislative Policy and Research Director to conduct survey of data regarding effectiveness of gun-free zones as deterrent against persons who commit criminal acts of violence, and to provide results of survey in report to Legislative Assembly before convening of 2022 regular session of Legislative Assembly.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to firearms; and prescribing an effective date.

3 Whereas the right of self-defense is a natural right; and

4 Whereas concealed handgun licensees are some of the most law-abiding citizens in Oregon; and

5 Whereas a person cannot obtain a concealed handgun license if the person is under 21 years
6 old; and

7 Whereas a person cannot obtain a concealed handgun license if the person has outstanding
8 warrants for arrest; and

9 Whereas a person cannot obtain a concealed handgun license if the person is on any form of
10 pretrial release; and

11 Whereas a person cannot obtain a concealed handgun license if the person has ever been con-
12 victed of a felony or found guilty except for insanity of a felony; and

13 Whereas a person cannot obtain a concealed handgun license if the person has been convicted
14 of a misdemeanor or found guilty except for insanity of a misdemeanor within the four years prior
15 to applying for the license; and

16 Whereas a person cannot obtain a concealed handgun license if the person been committed to
17 the Oregon Health Authority under ORS 426.130; and

18 Whereas a person cannot obtain a concealed handgun license if the person has been found to

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 be a person with mental illness and is subject to an order under ORS 426.130 prohibiting the person
2 from purchasing or possessing a firearm as a result of the mental illness; and

3 Whereas a person cannot obtain a concealed handgun license if the person has been convicted
4 of an offense involving controlled substances or participated in a court-supervised drug diversion
5 program, except for a single misdemeanor conviction or completed diversion involving marijuana;
6 and

7 Whereas a person cannot obtain a concealed handgun license if the person is subject to a cita-
8 tion issued under ORS 163.735 or an order issued under ORS 30.866, 107.700 to 107.735 or 163.738;
9 and

10 Whereas a person cannot obtain a concealed handgun license if the person received a dis-
11 honorable discharge from the Armed Forces of the United States; and

12 Whereas a person cannot obtain a concealed handgun license if the person is required to reg-
13 ister as a sex offender in any state; and

14 Whereas a person cannot obtain a concealed handgun license if the person is subject to an order
15 under ORS 426.133 prohibiting the person from purchasing or possessing a firearm; and

16 Whereas concealed handgun licensees are required to have firearm training before being issued
17 a concealed handgun license; and

18 Whereas concealed handgun licensees have prevented individual and mass shootings; and

19 Whereas Oregonians with concealed handgun licenses who carry concealed handguns have a
20 better chance of defending themselves; and

21 Whereas criminals do not abide by gun-free zones; and

22 Whereas crime-ridden parts of Portland have become a threat to individual livelihoods and per-
23 sonal property; and

24 Whereas Multnomah County is known to prosecute individual concealed handgun licensees try-
25 ing to defend themselves from a violent mob, yet refuses to prosecute certain criminals, inviting
26 more criminality; and

27 Whereas the supermajority in the Legislative Assembly has introduced bills to eliminate school
28 resource officers, leaving our children defenseless in schools; and

29 Whereas equating law-abiding citizens exercising their right to self-defense with criminals who
30 want to cause violence is irrational; and

31 Whereas singling out and setting up one class of law-abiding citizens to become felons for
32 actions that currently constitute part of their everyday lives is arbitrary, capricious and vindictive;
33 and

34 Whereas forcing people to leave firearms unattended in vehicles is dangerous and violates the
35 safety rules that all good gun owners follow; and

36 Whereas Oregonians have recently been buying, or attempting to buy, firearms in record num-
37 bers, and legislation aimed at law-abiding gun owners is an affront to an ever-larger percentage of
38 our population; and

39 Whereas rural counties have limited police protection and urban counties have police who are
40 politically hindered from arresting certain types of criminals; and

41 Whereas politically-motivated district attorneys are refusing to prosecute certain criminals who
42 police do arrest, encouraging more criminal behavior; and

43 Whereas Senate Bill 554 as introduced, or as amended by the -10 amendments, is antithetical to
44 "common sense" because it targets law-abiding citizens while simultaneously doing nothing to pre-
45 vent gun use by criminals; and

1 Whereas members of the Oregon Legislative Assembly take an oath to defend the Constitution;
2 now, therefore,

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

4 SECTION 1. The people shall have the right to bear arms for the defense of themselves,
5 and the state, but the military shall be kept in strict subordination to the civil power.

6 SECTION 2. A well regulated militia, being necessary to the security of a free state, the
7 right of the people to keep and bear arms, shall not be infringed.

8 SECTION 3. (1) The Legislative Policy and Research Director shall conduct a survey of
9 all scientific and evidence-based data, pertaining to the United States, regarding the effec-
10 tiveness of gun-free zones as a credible and reliable deterrent against violent criminals with
11 malicious intent to do harm.

12 (2) The director shall compile all data collected as part of the survey into a report and
13 provide the report to the Legislative Assembly, in the manner provided in ORS 192.245, before
14 the date of convening of the 2022 regular session of the Legislative Assembly as specified in
15 ORS 171.010.

16 SECTION 4. This 2021 Act takes effect on the 91st day after the date on which the 2021
17 regular session of the Eighty-first Legislative Assembly adjourns sine die.

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