

HB 2481-5
(LC 2057)
2/23/21 (JLM/ps)

Requested by HOUSE COMMITTEE ON JUDICIARY (at the request of Representative Janelle Bynum)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2481**

1 Delete lines 4 through 23 of the printed bill and insert:

2 **“SECTION 1. (1) A law enforcement agency may not receive any of**
3 **the following property from a military equipment surplus program**
4 **operated by the federal government:**

5 **“(a) Unmanned aircraft systems that are armored or weaponized;**

6 **“(b) Aircraft that are combat-configured or combat-coded;**

7 **“(c) Grenades or similar explosives, or grenade launchers; or**

8 **“(d) Firearms silencers.**

9 **“(2) A law enforcement agency purchasing property from a military**
10 **surplus program operated by the federal government may use only**
11 **state or local funds, and may not use funds obtained from the federal**
12 **government, for the purchase.**

13 **“(3) To receive property not prohibited by subsection (1) of this**
14 **section from a military equipment surplus program:**

15 **“(a) For a local law enforcement agency with jurisdiction over a**
16 **municipality or tribal lands, the law enforcement agency shall obtain**
17 **written approval from the governing body of the municipality or tribal**
18 **lands for receipt of the property.**

19 **“(b) For a county sheriff’s office, the sheriff shall, at least five days**
20 **before requesting the property, notify the board of county commis-**
21 **sioners or county court in writing of the request. The written notice**

1 must include information about the type of equipment requested, the
2 estimated cost savings to the county if the request is granted, the es-
3 timated costs of refurbishing or repairing the equipment and the in-
4 tended use by the sheriff of the property.

5 “(c) For a law enforcement agency within a state agency or special
6 government body, including the Department of Justice, the law
7 enforcement agency shall obtain written approval from the director,
8 or the person in a position equivalent to a director, of the state agency
9 or special government body.

10 “(d) For a law enforcement agency that is a state agency, the law
11 enforcement agency shall obtain written approval from the person or
12 entity with the authority to appoint and remove the director, or the
13 person in a position equivalent to a director, of the state agency.

14 “(4) If a law enforcement agency requests property from a military
15 equipment surplus program, the law enforcement agency shall publish
16 notice of the request on a publicly accessible website within 14 days
17 after the request.

18 “(5) As used in this section:

19 “(a) ‘Firearms silencer’ has the meaning given that term in ORS
20 166.210.

21 “(b) ‘Law enforcement agency’ means any agency that employs po-
22 lice officers or prosecutes criminal cases, but does not include a tribal
23 law enforcement agency.

24 “(c) ‘Police officer’ means:

25 “(A) A member of the Oregon State Police;

26 “(B) A sheriff, a municipal police officer or a police officer com-
27 missioned by a university under ORS 352.121 or 353.125;

28 “(C) An investigator of a district attorney’s office if the investigator
29 is or has been certified as a peace officer in this or any other state;

30 “(D) An investigator of the Criminal Justice Division of the De-

1 **partment of Justice;**

2 **“(E) A humane special agent as defined in ORS 181A.345; or**

3 **“(F) A regulatory specialist exercising authority described in ORS**
4 **471.775 (2).**

5 **“(d) ‘Unmanned aircraft system’ has the meaning given that term**
6 **in ORS 837.300.”.**

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