

Allowing local government, schools, and service districts to regulate or prohibit carrying firearms individually will create a convoluted patchwork of unfathomable regulations, violation of any one of which will be a felony. Picture walking through downtown Portland legally carrying a concealed weapon with a CHL in your possession. Where does the PSU campus begin and end? There are no walls, fences, or other boundaries to tell you that you are about to commit a felony. Picture driving down the road with your legally carried weapon and your valid CHL. Do you go through or around (if possible) this little town or that big city? Guess wrong and you are a felon.

Under this bill governmental and quasi-governmental agencies that the average citizen may not know even exists can adopt obscure ordinances that carry fines and imprisonment for the unsuspecting violator of perhaps the soil conservation district's anti-gun ordinance, or perhaps the local public utility district's rules and ordinances for firearms.

If the aim of the legislature is to indirectly abolish the ability of law abiding citizens to legally carry a weapon with which to defend themselves and others, it is hard to imagine a better strategy than this bill and its sister bill SB585, since either bill would accomplish the same end.

And we must ask ourselves what is the purpose of SB554? This bill is directly aimed at CHL holders. Why? Where is the long list of crimes committed by CHL holders? Where is the long list of accidental discharges, injuries, and fatalities caused by CHL holders in Oregon? As a class, CHL holders are among the most safety conscious and law abiding citizens there are. Crime statistics show that CHL holders as a class are more law abiding than even police officers. This legislation is a solution in search of a problem. It makes no sense, that is, unless the real aim has nothing to do with safety or crime, and everything to do with simply making the lives of law abiding firearms owners so complicated that they give up their firearms.

Additionally, either SB554 or SB585, if passed and signed into law, will be challenged in court for being unconstitutionally vague. There are several reasons a statute may be considered vague; in general, a statute might be void for vagueness when an average citizen cannot generally determine what persons are regulated, what conduct is prohibited, or what punishment may be imposed. In this case, with a confusing patchwork of ever changing ordinances, with ever changing boundaries it would be difficult for the average citizen to understand exactly what conduct (precisely where carrying a legally concealed weapon is illegal) is prohibited. That was the reason for state pre-emption of firearms laws to begin with, to prevent a confusing mishmash of local ordinances. The void for vagueness doctrine would apply to these laws since they address a strict scrutiny constitutional right, the Second Amendment right to keep and bear arms. One can envision hundreds of lawsuits filed against local jurisdictions who enact their own confusing ordinances under the new law. SB554 and its sister bill SB585 are bad ideas.