

# House Bill 4096

Sponsored by Representative TRAN, Senator BOQUIST; Representatives ANDERSEN, BOICE, BOWMAN, CONRAD, EVANS, GAMBA, HARTMAN, NELSON, NGUYEN D, NGUYEN H, SCHARF, Senator DEMBROW (Presession filed.)

## 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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act allows FFLs to enter into agreements to hold guns for safety. The Act also directs OHA to develop a firearm safety pamphlet. The Act takes effect on the 91st day after sine die. (Flesch Readability Score: 60.9).

Authorizes a federal firearms licensee to enter into a firearm hold agreement with a firearm owner. Prohibits a civil cause of action against a licensee who takes possession of a firearm pursuant to a firearm hold agreement unless the action is based on negligence or unlawful conduct.

Directs the Oregon Health Authority to develop a firearm suicide prevention pamphlet.  
Takes effect on the 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to firearm hold agreements; and prescribing an effective date.

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

### **SECTION 1. (1) As used in this section:**

4  
5 (a) **“Federal firearms licensee” or “licensee” means a person licensed as a dealer, manufacturer or importer under 18 U.S.C. 923.**

6  
7 (b) **“Firearm” has the meaning given that term in ORS 166.210.**

8 (c) **“Firearm hold agreement” means a private transaction between a federal firearms licensee and an individual firearm owner in which the licensee takes physical possession of the owner’s lawfully possessed firearm at the owner’s request, stores the firearm for an agreed-upon period of time and returns the firearm to the owner according to the terms of the agreement.**

9  
10  
11  
12  
13 (2)(a) **A federal firearms licensee may enter into a firearm hold agreement with a firearm owner.**

14  
15 (b) **A firearm hold agreement may contain a requirement that a firearm owner provide up to three days’ notice to the licensee prior to requesting the return of a stored firearm.**

16  
17 (c) **A firearm hold agreement may require the payment of a fee to the licensee in exchange for holding or storing a firearm.**

18  
19 (3)(a) **Except as provided in paragraph (b) of this subsection, a person may not bring a cause of action against a federal firearms licensee for any act or omission arising from entering into a firearm hold agreement, including taking physical possession of a firearm pursuant to a firearm hold agreement, storing the firearm or returning the firearm to the owner.**

20  
21  
22  
23 (b) **Paragraph (a) of this subsection does not apply:**

24  
25 (A) **If the licensee returns the firearm to a person the licensee knows, or reasonably should know, is a danger to self or others.**

26  
  
**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       **(B) To a civil action based upon the licensee’s negligence or unlawful conduct.**

2       **(4) The existence of an individual firearm hold agreement may not be disclosed by the**  
3 **licensee except pursuant to a warrant or subpoena.**

4       **SECTION 2. (1) The Oregon Health Authority shall develop, publish and distribute a**  
5 **pamphlet on firearm suicide prevention and the use of firearm hold agreements as defined**  
6 **in section 1 of this 2024 Act as a means of reducing firearm suicide risk.**

7       **(2) In developing the pamphlet, the authority shall consider input from suicide prevention**  
8 **groups and firearm safety organizations, and the pamphlet must be based on evidence-based**  
9 **suicide prevention practices.**

10       **(3) The authority may contract with an outside entity for the development or publication**  
11 **of the pamphlet, or may develop and publish the pamphlet internally.**

12       **(4) The authority shall:**

13       **(a) Publish the pamphlet in an electronic format on the authority’s website.**

14       **(b) Provide copies of the pamphlet, upon request and free of charge, to federal firearms**  
15 **licensees, law enforcement agencies, gun ranges, community-based organizations and medical**  
16 **providers, including behavioral health providers.**

17       **(5)(a) A federal firearms licensee may make available to firearm purchasers, in the**  
18 **licensee’s place of business, the firearm suicide prevention pamphlet described in this sec-**  
19 **tion.**

20       **(b) Law enforcement agencies, gun ranges, community-based organizations and medical**  
21 **providers, including behavioral health providers, may distribute or otherwise make available**  
22 **to members of the public the firearm suicide prevention pamphlet described in this section.**

23       **SECTION 3. This 2024 Act takes effect on the 91st day after the date on which the 2024**  
24 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**

25