

HB 3075 -1, -2 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Gillian Fischer, LPRO Analyst

Meeting Dates: 3/17, 4/8

WHAT THE MEASURE DOES:

The measure makes technical and substantive changes to Oregon statutes relating the implementation of Ballot Measure 114 (2022). Declares an emergency, effective on passage.

DETAILED SUMMARY:

Section 1:

Repeals specified chapters of Oregon law.

Section 2:

Provides that Chapter 1, Oregon Laws 2023, shall be known as the Reduction of Gun Violence Act.

Section 3:

Updates statutory references.

Section 4:

Amends “permit-to-purchase” to say “permit to purchase or otherwise acquire”. Amends where a person may apply for a permit to purchase or otherwise acquire a firearm.

Provides that a person is qualified to be issued a permit to purchase if the person is not prohibited from possessing a firearm under state or federal law and has not been convicted of a misdemeanor involving violence within the previous four years.

Directs a permit agent to immediately enter an applicant for permit to purchase name into the Law Enforcement Data System and indicate the person is applying for a permit.

Requires the results of a criminal background check submitted by a permit agent to indicate that an applicant is qualified or disqualified to purchase or acquire a firearm and the reason for the disqualification.

Exempts records obtained during application process from disclosure as a public record.

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Increases the number of days by which a permit agent must issue a permit to an eligible applicant from 30 to 60 days.

Requires the annual report published by the State Police indicating the number of permit applications made per county to include racial and gender information within the total number of permits granted and denied and the reasons for denial.

Increases the fee a permit agent may charge from \$65 to \$150 per applicant and limits the amount that may be paid to the Oregon State Police to \$48.

Directs permit agents to enter the name of a permit holder into the Law Enforcement Data System (LEDS).

Increases the fee a permit agent may charge for renewal of the permit from \$50 to \$110.

Amends components necessary for satisfying requirement of “proof of completion of a firearm safety course.” Defines “instructor approved by a law enforcement agency.” Provides that a law enforcement agency is not civilly liable for the actions or inactions of a trainer if the law enforcement agency acted in good faith in approving trainer.

Section 5:

Increases from 30 to 60 days allowable for a person to seek review of a denied application for a permit-to-purchase. Provides that no civil or criminal liability shall attach to a permit agent or the Oregon State Police for issuance or denial of an application for a firearm permit.

Sections 6-10:

Modifies procedures for transfer occurring on or after July 1, 2026

Creates a Class A misdemeanor for transfers occurring on or after July 1, 2026 knowingly made to a transferee who does not have a valid permit to purchase a firearm or prior to receiving a unique approval number as required.

Section 11:

Establishes an affirmative defense to unlawful possession, use and transfer of a large capacity magazine if the person relinquishes the magazine as allowed pursuant to statute.

Section 12 -15:

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Requires the Oregon State Police (OSP) to retain certain permit holder information associated with each firearm purchase. Authorizes OSP to establish a system for removal of information upon sale or transfer of the firearm to another permit holder.

Provides exceptions to crimes relating to knowingly selling or delivering a firearm to a purchaser or transferee who does not have a valid permit to purchase a firearm.

Section 16:

Provides that the amendments by sections 12 to 15 of this 2025 Act become operative on July 1, 2026 and apply to firearm transfers occurring on or after July 1, 2026.

Section 17-19:

Makes statutory updates and conforms language.

Section 20:

Provides that the amendments by sections 17 to 19 of this 2025 Act become operative on July 1, 2026 and apply to firearm transfers occurring on or after July 1, 2026.

Section 21:

Modifies statutory references of this act.

Section 22:

Establishes venue for legal challenges to this act as the Circuit Court for Marion County.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Section 11:

Establishes an affirmative defense to unlawful possession, use or transfer of a large-capacity magazine that a person has permanently and voluntarily relinquished the magazine as provided prior to the commencement of prosecution for the charge.

Section 11a:

Prohibits the prosecution for certain crimes related manufacture or possession that occur while enforcement of ORS 166.355 is enjoined by a court. Prohibits prosecution within 180 days of a decision to overturn or vacate said injunction for certain transfers or purchases made by licensed gun dealers and manufacturers as specified by the

measure.

Section 12:

Requires the Oregon State Police (OSP) to retain certain permit holder information associated with each firearm purchase. Authorizes OSP to establish a system for removal of information upon sale or transfer of the firearm to another permit holder.

Section 13-15:

Updates statutory references and conforms language.

Section 16:

Provides that amendments to sections 12 to 15 of this act apply to firearm transfers occurring on or after July 1, 2026.

Section 18:

Establishes venue for legal challenges to this act as the Circuit Court for Marion County.

Section 19:

Declares an emergency effective on passage.

-2 Section 4:

Amends "permit-to-purchase" to say "permit to purchase or otherwise acquire." Amends where a person may apply for a permit to purchase or otherwise acquire a firearm.

Provides that a person is qualified to be issued a permit to purchase if the person is not prohibited from possessing a firearm under state or federal law and has not been convicted of a misdemeanor involving violence within the previous four years.

Requires the results of a criminal background check submitted by a permit agent to indicate that an applicant is qualified or disqualified to purchase or acquire a firearm and the reason for the disqualification.

Exempts records obtained during application process from disclosure as a public record.

Beginning in 2027, requires OSP publish an annual report indicating the number of permit applications made per county to include racial and gender information within the total number of permits granted and denied and the reasons for denial.

Increases the fee a permit agent may charge from \$65 to \$150 per applicant and limits the amount that may be paid to the Oregon State Police to \$48.

Directs permit agents to enter the name of a permit holder into the Law Enforcement Data System (LEDS).

Increases the fee a permit agent may charge for renewal of the permit from \$50 to \$110.

Amends components necessary for satisfying requirement of “proof of completion of a firearm safety course.” Defines “instructor approved by a law enforcement agency.” Provides that a law enforcement agency is not civilly liable for the actions or inactions of a trainer if the law enforcement agency acted in good faith in approving trainer.

Section 5:

Provides that no civil or criminal liability shall attach to a permit agent or the Oregon State Police for issuance or denial of an application for a firearm permit.

Sections 6-10:

Modifies procedures for transfer occurring on or after July 1, 2026

Creates a Class A misdemeanor for transfers occurring on or after July 1, 2026 knowingly made to a transferee who does not have a valid permit to purchase a firearm or prior to receiving a unique approval number as required.

Section 11:

Establishes an affirmative defense to unlawful possession, use or transfer of a large-capacity magazine that a person has permanently and voluntarily relinquished the magazine as provided prior to the commencement of prosecution for the charge. Defines law enforcement agency, parole and probation officer and peace officer and retired peace officer. Exempts peace officers, parole and probation officers and retired peace officers from the prohibited conduct otherwise constituting the crime of unlawful possession of a large-capacity magazine. Exempts law enforcement agencies from prohibitions on importations and transfers of large-capacity magazines by the agency for official use.

Section 11a:

Prohibits the prosecution for certain crimes related manufacture or possession that occur while enforcement of ORS 166.355 is enjoined by a court. Prohibits prosecution within 180 days of a decision to overturn or vacate said injunction for certain transfers or purchases made by licensed gun dealers and manufacturers as specified by the measure.

Section 12:

Requires the Oregon State Police (OSP) to retain certain permit holder information associated with each firearm purchase. Authorizes OSP to establish a system for removal of information upon sale or transfer of the firearm to another permit holder.

Section 13-15:

Updates statutory references and conforms language.

Section 16:

Provides that amendments to sections 12 to 15 of this act apply to firearm transfers occurring on or after July 1, 2026.

Section 17:

Updates statutory references.

Section 18:

Establishes venue for legal challenges to this act as the Circuit Court for Marion County.

Section 19:

Declares an emergency effective on passage.

BACKGROUND:

In November 2022, Oregon voters passed Ballot Measure (BM) 114, which required anyone purchasing a firearm to take a firearm safety training course and obtain a permit. It also banned large capacity magazines holding more than ten rounds and closed the "Charleston loophole," which allowed firearm transfers to go forward if the background check had not been completed after three days. In December 2022, Judge Immergut in the Oregon U.S. District Court denied a request by the Oregon Firearms Federation and other plaintiffs to temporarily prevent implementation of the large-capacity magazine restrictions in BM 114. Judge Immergut ruled that BM 114 could take effect pending further arguments, but allowed the state to postpone the implementation of the permit requirement until the systems needed to administer it were in place.

House bill 3075 amends Oregon statutes necessary to implement the procedural requirements for obtaining a permit to purchase a firearm as outlined by Ballot Measure 114.