

SB 243 B -12, -13, -14, -16, -17, -22 STAFF MEASURE SUMMARY

House Committee On Rules

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Meeting Dates: 6/11, 6/16

WHAT THE MEASURE DOES:

The measure is an omnibus bill that establishes the Community Safety Firearms Act. It amends statutes relating to the transfer and possession of a rapid fire activator and creates new criminal offenses for violations. The measure also grants certain governing entities authority to restrict the possession of firearms in buildings where official meetings are held. The measure takes effect on the 91st day following adjournment sine die.

Detailed Summary:

- Establishes the "Community Safety Firearms Act."
- Creates a Class B felony crime of *unlawful transport, manufacture or transfer of a rapid fire activator* if a person knowingly transports a "rapid fire activator" into this state or manufactures, sells, or offers to sell or transfer a rapid fire activator.
- Creates a Class A misdemeanor crime of *unlawful possession of a rapid fire activator* if a person knowingly possesses, purchases, or receives a rapid fire activator.
- Specifies exceptions to both crimes and defines relevant terms.
- Authorizes the governing body of a city, a county, or a district as defined in ORS 198.010 to adopt a policy, ordinance, or regulation providing that the affirmative defense concerning persons licensed to carry a concealed handgun does not apply to the possession of firearms within a building owned or controlled by the governing body if the building is used by the governing body for official meetings.
- Requires a governing body to post a clearly visible sign at all normal points of entry to the buildings subject to the restriction indicating that the affirmative defense does not apply and to post a notice on the governing body's website identifying all buildings subject to the restriction. Provides that, in a prosecution for possessing a firearm in buildings subject to such a policy, the concealed handgun licensee affirmative defense is not a complete defense but results in a Class A misdemeanor conviction punishable by 364 days' imprisonment, a \$6,250 fine, or both.

Takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Amendment anticipates possible court ruling relevant to effective date
- Local control over possession of firearms in certain government buildings
- Mass shootings using rapid fire activators
- Definition of bump stock and hellfire trigger
- Definition of districts

EFFECT OF AMENDMENT:

-12 The amendment replaces the measure. It creates a new mandatory court order for prohibiting possession of firearms by individuals charged with disqualifying drug offense and establishes a process for the lawful relinquishment of any firearms possessed by the individual for the duration of the order.

Detailed Summary

- Provides that a court, at the first appearance on a disqualifying drug offense, shall enter an order prohibiting a person from possessing firearms as specified.
- Requires order prohibiting possession of firearms remain in place until the person demonstrates and the court finds by a preponderance of the evidence that the person has completed any treatment recommended by

assessment or that the person has abstained from using controlled substances for one year.

- Requires and establishes process for the relinquishment or transfer of any firearm possessed by a person subject to the order.
- Defines ‘disqualifying drug offense’ as unlawful possession of a controlled substance constituting a drug enforcement misdemeanor or unlawful possession of a controlled substance constituting a Class A misdemeanor under Oregon statutes.
- Requires any deflection program that does not require a court appearance on the offense for which a person is being referred to include a requirement that all participants agree not to possess firearms for the duration of the program and to lawfully relinquish any firearms in the participant’s possession as described.

-13 The amendment changes the operative date of application for specified provisions of the measure from the effective date of the act to March 15, 2026.

-14 The amendment replaces the measure. It directs the Department of State Police (OSP) to create, maintain, and make publicly available, a list of states that have similar handgun competency requirements as those required in Oregon to carry a concealed handgun and that allow a person authorized in Oregon to carry concealed a handgun in that state. The amendment authorizes a non-Oregon resident to carry a concealed handgun in Oregon if the person is licensed to do so by a reciprocating state from the above-described list. Takes effect on the 91st day following adjournment sine-die.

-16 The amendment changes the operative date of specified provisions of the measure from the effective date of the act to March 15, 2026. It also removes the emergency clause and makes the effective date of the measure the 91st day following adjournment sine die.

-17 The amendment replaces the measure. It removes from ORS 166.412 the requirement that a firearm purchaser obtain a valid permit under ORS 166.505 prior to purchasing a firearm and any related requirement of a gun dealer to confirm a purchasers permit prior to completing the sale of a firearm. It also removes the existing requirement that a gun dealer receive a unique approval number from the Department of State Police (OSP) before completing a firearm transfer. Provides that if OSP fails to provide a unique approval number before the close of the gun dealer’s next business day following the request, the gun dealer may deliver the firearm to the purchaser. Amends existing statutes to conform with removal of these requirements. The amendment removes existing language prohibiting the transfer of a firearm by a dealer if OSP is unable to determine if a transferee is qualified or disqualified from completing the transfer. It removes existing requirement that a transferor who is not a gun dealer request OSP conduct a criminal background check prior to transferring a firearm at a gun show. Takes effect on the 91st day following adjournment sine-die.

-22 The amendment replaces the measure. The amendment removes possessing a firearms silencer from prohibited conduct in ORS 166.272. It also amends ORS 131.602 to conform with the change. Takes effect on the 91st day following adjournment sine-die.

BACKGROUND:

Enacted in 2021, Senate Bill 554 expanded the authority of a city, county, metropolitan service district, or port operating a commercial airport to prohibit the possession of firearms within public buildings to individuals who were exempt from the prohibition due to holding a concealed handgun license. It also amended statutes relating to the possession of firearms in certain public buildings and airports, provided requirements for securing, storing, and transferring firearms, and established new rules related to reporting the theft or loss of a firearm, supervision of minors with firearms, and gun dealer notice requirements.

SB 243 B expands the authority to additional governing bodies to regulate possession of firearm within certain buildings where official meetings are held and creates new restrictions for possession of certain firearm

accessories as described.

PRELIMINARY