

SB 243 C STAFF MEASURE SUMMARY

Joint Committee On Ways and Means

Prepared By: John Borden, Budget Analyst

Meeting Dates: 6/20, 6/20

WHAT THE MEASURE DOES:

The measure is to be known as the Community Safety Firearms Act and includes the following provisions:

(a) Rapid Fire Activators: Defines rapid fire activator and creates a new crime of unlawful transport, manufacture or transfer of a rapid-fire activator. The new crime is a Class A misdemeanor for unlawful possession of a rapid-fire activator or a Class B felony for unlawful transport, manufacture or transfer, of a rapid-fire activator.

(b) Public Area Firearm Restrictions: Authorizes governing bodies of specified public entities to adopt policy, ordinance, or regulations restricting the carrying of firearms within their buildings and provides that the exemption concerning individuals licensed to carry a concealed handgun does not apply to possession of a firearm within the governing body's building. A governing body that adopts such policy must post a clearly visible sign at all normal points of entry to the building and grounds and post a notice on the governing body's website.

(c) Ballot Measure 114 (2022) Application: Modifies the effective date of Oregon Law codifying Ballot Measure 114 (BM 114) as well as current statute regarding large-capacity magazines to apply to firearm transfers and the manufacturing, importation, possession, use, purchase, sale or transfer of large capacity magazines.

The measure takes effect on the 91st day after sine die, however, the measure modifies the operative date of BM 114 from the effective date of the passage of the ballot measure to March 15, 2026.

ISSUES DISCUSSED:

- Fiscal impact
- Budgetary impact
- Operative date
- Pending State Supreme Court ruling on Ballot Measure 114 (2022) constitutionality
- Provisions of the measure related to conceal carry firearm permits

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Ballot Measure 114 (2022), the Reduction of Gun Violence Act, was enacted by voters on November 8, 2022. The ballot measure requires a permit to purchase or acquire a firearm, and to ban the sale, transfer, and importation of magazines that are capable of holding more than ten rounds of ammunition. The constitutionality of the measure has been subject of legal challenge. The state appellate court recently ruled BM 114 constitutional overturning a Harney County Circuit Court ruling. The state appellate court's decision, however, has been appealed to the Oregon Supreme Court with arguments scheduled to begin in the fall of 2025. While the Legislature has had a history of setting aside funding for the implementation of BM 114, no funding has yet-to-be appropriated to the Department of State Police to implement BM 114 due to the legal uncertainty surrounding the Ballot Measure.

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.

PRELIMINARY