

SB 243 B STAFF MEASURE SUMMARY

Carrier: Sen. Broadman, Sen.
Prozanski

Senate Committee On Rules

Action Date: 05/14/25

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Vote: 3-2-0-0

Yeas: 3 - Golden, Jama, Manning Jr

Nays: 2 - Bonham, Thatcher

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact, statement issued (Indeterminate Impact)

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Meeting Dates: 5/12, 5/14

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 activators 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:

- Definition of terms in measure including rapid fire activator and official meetings
- Language removed by amendments
- Unfunded mandates
- Predictability regarding where firearms are restricted or prohibited
- Local control over policies regarding possession of firearms in certain buildings
- Enforcement of prohibitions created by measure and options for disposing of already owned rapid fire activators
- Suicide prevention and mandatory holds

EFFECT OF AMENDMENT:

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The amendment replaces “Oregon Suicide Prevention and Community Safety Firearms Act,” with “Community Safety Firearms Act.” It removes provisions prohibiting a gun dealer from transferring a firearm or unfinished frame or receiver until 72 hours have elapsed from the time the gun dealer requested a criminal background check and the gun dealer has received a unique approval number. The amendment removes “adjacent grounds” of a building from the areas that may be subject to a policy described in ORS 166.377 prohibiting the possession of firearms in certain locations. It also removes ‘grounds adjacent to each such building’ from the definition of public buildings for purposes of the measure.

Finally, the amendment provides that the governing body of a city, a county, or a district as defined in ORS 198.010 may 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.

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 A 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.