

B-Engrossed

Senate Bill 243

Ordered by the Senate May 27
Including Senate Amendments dated April 23 and May 27

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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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act creates two new rapid fire activator crimes and changes the public buildings where a person with a CHL can possess a gun. The Act takes effect on the 91st day after sine die. (Flesch Readability Score: 75.4).

[Digest: The Act requires gun dealers to wait 72 hours before giving a gun or certain unfinished gun parts to a buyer. The Act also creates two new rapid fire activator crimes and changes the public areas where a person with a CHL can possess a gun. The Act takes effect on the 91st day after sine die. (Flesch Readability Score: 70.2).]

[Prohibits 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 the background check approval number from the Department of State Police.]

Creates the crime of unlawful transport, manufacture or transfer of a rapid fire activator. Punishes by a maximum of 10 years' imprisonment, \$250,000 fine, or both. Creates the crime of unlawful possession of a rapid fire activator. Punishes by a maximum of 364 days' imprisonment, \$6,250 fine, or both. Specifies exceptions for both crimes.

Authorizes the governing body of a city, *[or] a county or a special district* that owns or controls a public building **that is used for official meetings** to limit the affirmative defense for concealed handgun licensees for possessing a firearm in the public building. *[Authorizes the governing body of a metropolitan service district to limit the affirmative defense for concealed handgun licensees for possessing a firearm in a metropolitan zoo facility and adjacent grounds.]* Provides that in a prosecution for possessing a firearm in a building *[or on grounds]* subject to such limit, the concealed handgun licensee affirmative defense is not a complete defense, but results in a Class A misdemeanor conviction punishable by 364 days' imprisonment, \$6,250 fine, or both.

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

A BILL FOR AN ACT

Relating to firearms; creating new provisions; amending ORS 166.262, 166.370 and 166.377; and prescribing an effective date.

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

SHORT TITLE

SECTION 1. Section 2 of this 2025 Act and the amendments to ORS 166.262, 166.370 and 166.377 by sections 3 to 5 of this 2025 Act shall be known and may be cited as the "Community Safety Firearms Act."

RAPID FIRE ACTIVATORS

SECTION 2. (1) A person commits the crime of unlawful transport, manufacture or

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 transfer of a rapid fire activator if the person knowingly:

2 (a) Transports a rapid fire activator into this state; or

3 (b) Manufactures, sells, offers to sell or transfers a rapid fire activator.

4 (2) A person commits the crime of unlawful possession of a rapid fire activator if the
5 person knowingly possesses, purchases or receives a rapid fire activator.

6 (3)(a) Unlawful transport, manufacture or transfer of a rapid fire activator is a Class B
7 felony.

8 (b) Unlawful possession of a rapid fire activator is a Class A misdemeanor.

9 (4) This section does not apply to:

10 (a) A peace officer, or other person employed by a law enforcement agency, who pos-
11 sesses a rapid fire activator in accordance with authorization given to the peace officer or
12 other person by the law enforcement agency.

13 (b) A person who has registered a machine gun in accordance with federal law and the
14 rapid fire activator is possessed for use only in, and is necessary for the proper function of,
15 the lawfully registered machine gun.

16 (5) As used in this section:

17 (a) "Binary trigger system" means a device that, when built into, installed in or attached
18 to a firearm, allows the firearm to fire both when the trigger is pulled or depressed and when
19 the trigger is released.

20 (b) "Bump stock" means a device that, when built into, installed in or attached to a
21 firearm, increases the rate of fire of the firearm by using energy from the recoil of the
22 firearm to generate a reciprocating action that facilitates repeated activation of the trigger.

23 (c) "Burst trigger system" means a device that, when built into, installed in or attached
24 to a firearm, allows the firearm to discharge two or more rounds with a single pull or de-
25 pression of the trigger by altering the trigger reset.

26 (d) "Firearm" has the meaning given that term in ORS 166.210.

27 (e) "Forced reset trigger" means a device that, when built into, installed in or attached
28 to a firearm, mechanically forces the trigger to reset into a firing position after each round
29 is fired.

30 (f) "Hellfire trigger" means a device that, when built into, installed in or attached to a
31 firearm, disengages the trigger return spring when the trigger is pulled or depressed.

32 (g) "Machine gun" has the meaning given that term in ORS 166.210.

33 (h) "Peace officer" has the meaning given that term in ORS 133.005.

34 (i)(A) "Rapid fire activator" means any device, including a removable manual or power-
35 driven device, part or combination of parts, constructed so that, when built into, installed
36 on or attached to a firearm:

37 (i) The rate at which the trigger is activated increases to a faster rate than is possible
38 for the firearm without the device; or

39 (ii) The rate of fire increases to a faster rate than is possible for a person to fire the
40 firearm without the device.

41 (B) "Rapid fire activator" includes, but is not limited to, a bump stock, forced reset
42 trigger, trigger crank, hellfire trigger, binary trigger system, burst trigger system, switch,
43 auto sear or a copy or similar device, regardless of the producer or manufacturer.

44 (j) "Switch" or "auto sear" means a device that, when built into, installed in or attached
45 to a firearm, applies force to a firearm's trigger bar to prevent the bar from limiting the

1 **weapon to firing only one round each time the trigger is pulled or depressed.**

2 **(k) "Trigger crank" means a device that, when built into, installed in or attached to a**
 3 **firearm, repeatedly activates the trigger of the firearm through the use of a crank, level or**
 4 **any other part that is turned in a circular motion.**

5
 6 **PUBLIC AREA RESTRICTIONS**
 7

8 **SECTION 3.** ORS 166.370 is amended to read:

9 166.370. (1)(a) Any person who intentionally possesses a loaded or unloaded firearm or any other
 10 instrument used as a dangerous weapon, while in or on a public building, shall upon conviction be
 11 guilty of a Class C felony.

12 (b) Notwithstanding paragraph (a) of this subsection, in a prosecution under this section for the
 13 possession of a firearm within the Capitol, within the passenger terminal of a commercial service
 14 airport with over one million passenger boardings per year, **within a building subject to a policy**
 15 **described in ORS 166.377 (3)** or on school grounds subject to a policy described in ORS 166.377
 16 (1), if the person proves by a preponderance of the evidence that, at the time of the possession, the
 17 person was licensed under ORS 166.291 and 166.292 to carry a concealed handgun, upon conviction
 18 the person is guilty of a Class A misdemeanor.

19 (2)(a) Except as otherwise provided in paragraph (b) of this subsection, a person who inten-
 20 tionally possesses:

21 (A) A firearm in a court facility is guilty, upon conviction, of a Class C felony. A person who
 22 intentionally possesses a firearm in a court facility shall surrender the firearm to a law enforcement
 23 officer.

24 (B) A weapon, other than a firearm, in a court facility may be required to surrender the weapon
 25 to a law enforcement officer or to immediately remove it from the court facility. A person who fails
 26 to comply with this subparagraph is guilty, upon conviction, of a Class C felony.

27 (C) A firearm in a local court facility is guilty, upon conviction, of a Class C felony if, prior to
 28 the offense, the presiding judge of the local court facility entered an order prohibiting firearms in
 29 the area in which the court conducts business and during the hours in which the court operates.

30 (b) The presiding judge of a judicial district or a municipal court may enter an order permitting
 31 the possession of specified weapons in a court facility.

32 (c) Within a shared court facility, the presiding judge of a municipal court or justice of the
 33 peace district may not enter an order concerning the possession of weapons in the court facility that
 34 is in conflict with an order entered by the presiding judge of the circuit court.

35 (3) Subsection (1)(a) of this section does not apply to:

36 (a) A police officer or reserve officer, as those terms are defined in ORS 181A.355.

37 (b) A parole and probation officer, as defined in ORS 181A.355, while the parole and probation
 38 officer is acting within the scope of employment.

39 (c) A federal officer, as defined in ORS 133.005, or a certified reserve officer or corrections of-
 40 ficer, as those terms are defined in ORS 181A.355, while the federal officer, certified reserve officer
 41 or corrections officer is acting within the scope of employment.

42 (d) A person summoned by an officer described in paragraph (a), (b) or (c) of this subsection to
 43 assist in making an arrest or preserving the peace, while the summoned person is engaged in as-
 44 sisting the officer.

45 (e) An honorably retired law enforcement officer.

(f) An active or reserve member of the military forces of this state or the United States, when engaged in the performance of duty.

(g) A person who is licensed under ORS 166.291 and 166.292 to carry a concealed handgun, except as provided in subsection (1)(b) of this section.

(h) A person who is authorized by the officer or agency that controls the public building to possess a firearm or dangerous weapon in that public building.

(i) An employee of the United States Department of Agriculture, acting within the scope of employment, who possesses a firearm in the course of the lawful taking of wildlife.

(j) Possession of a firearm on school property if the firearm:

(A) Is possessed by a person who is not otherwise prohibited from possessing the firearm; and

(B) Is unloaded and locked in a motor vehicle.

(k) A person who possesses a firearm in the passenger terminal of a commercial service airport, if the firearm is unloaded and in a locked hard-sided container for the purposes of transporting the firearm as checked baggage in accordance with federal law.

(4)(a) Except as provided in subsection (1)(b) of this section, the exceptions listed in subsection (3)(d) to (k) of this section constitute affirmative defenses to a charge of violating subsection (1)(a) of this section.

(b) A person may not use the affirmative defense described in subsection (3)(e) of this section if the person has been convicted of an offense that would make the person ineligible to obtain a concealed handgun license under ORS 166.291 and 166.292.

(5)(a) Any person who knowingly, or with reckless disregard for the safety of another, discharges or attempts to discharge a firearm at a place that the person knows is a school shall upon conviction be guilty of a Class C felony.

(b) Paragraph (a) of this subsection does not apply to the discharge of a firearm:

(A) As part of a program approved by a school in the school by an individual who is participating in the program;

(B) By a law enforcement officer acting in the officer's official capacity; or

(C) By an employee of the United States Department of Agriculture, acting within the scope of employment, in the course of the lawful taking of wildlife.

(6) Any weapon carried in violation of this section is subject to the forfeiture provisions of ORS 166.279.

(7) Notwithstanding the fact that a person's conduct in a single criminal episode constitutes a violation of both subsections (1) and (5) of this section, the district attorney may charge the person with only one of the offenses.

(8) As used in this section, "dangerous weapon" means a dangerous weapon as that term is defined in ORS 161.015.

SECTION 4. ORS 166.377 is amended to read:

166.377. (1) The governing board of a public university listed in ORS 352.002, the Oregon Health and Science University Board of Directors, the governing board of a community college or a district school board as defined in ORS 332.002 may adopt a policy providing that the affirmative defense described in ORS 166.370 (3)(g), concerning persons licensed to carry a concealed handgun under ORS 166.291 and 166.292, does not apply to the possession of firearms on the grounds of the schools controlled by the board.

(2) A board that adopts a policy under **subsection (1) of this section** shall:

(a) Post a clearly visible sign, at all normal points of entry to the school grounds subject to the

1 policy described in subsection (1) of this section, indicating that the affirmative defense described
2 in ORS 166.370 (3)(g) does not apply.

3 (b) Post a notice on the board's website identifying all school grounds subject to the policy de-
4 scribed in subsection (1) of this section.

5 **(3) The governing body of a city, a county or a district as defined in ORS 198.010 may**
6 **adopt a policy, ordinance or regulation providing that the affirmative defense described in**
7 **ORS 166.370 (3)(g), concerning persons licensed to carry a concealed handgun under ORS**
8 **166.291 and 166.292, does not apply to the possession of firearms within a building owned or**
9 **controlled by the governing body that is used by the governing body for official meetings.**

10 **(4) A governing body that adopts a policy under subsection (3) of this section shall:**

11 **(a) Post a clearly visible sign, at all normal points of entry to the buildings subject to the**
12 **policy described in subsection (3) of this section, indicating that the affirmative defense de-**
13 **scribed in ORS 166.370 (3)(g) does not apply.**

14 **(b) Post a notice on the governing body's website identifying all buildings subject to the**
15 **policy described in subsection (3) of this section.**

16 **SECTION 5.** ORS 166.262 is amended to read:

17 166.262. A peace officer may not arrest or charge a person for violating ORS 166.250 (1)(a) or
18 (b) or 166.370 (1)(a) if the person has in the person's immediate possession:

19 (1) A valid license to carry a firearm as provided in ORS 166.291 and 166.292, unless the person
20 possesses a firearm within the Capitol, within the passenger terminal of a commercial service air-
21 port with over one million passenger boardings per year, **within a building subject to a policy**
22 **described in ORS 166.377 (3) or on school grounds subject to a policy described in ORS 166.377**
23 **(1);**

24 (2) Proof that the person is a law enforcement officer; or

25 (3) Proof that the person is an honorably retired law enforcement officer, unless the person has
26 been convicted of an offense that would make the person ineligible to obtain a concealed handgun
27 license under ORS 166.291 and 166.292.

28 CAPTIONS

29 **SECTION 6.** The unit captions used in this 2025 Act are provided only for the convenience
30 **of the reader and do not become part of the statutory law of this state or express any leg-**
31 **islative intent in the enactment of this 2025 Act.**

32 EFFECTIVE DATE

33 **SECTION 7.** This 2025 Act takes effect on the 91st day after the date on which the 2025
34 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**