

Submitter: Rebecca Wallis
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB3076

Chairperson and Members of the Committee,

My name is Rebecca Wallis, and I am here today to oppose House Bill 3076 and its amendment, HB 3076-1. This bill represents an unconstitutional overreach that directly infringes on the rights of Oregonians, particularly the Second and Fourth Amendments, as well as due process protections.

First, HB 3076 imposes onerous licensing and regulatory burdens on firearm dealers, many of whom are small business owners. The mandatory state firearms dealer license not only duplicates existing federal licensing requirements but grants the Oregon Department of Justice (DOJ) broad discretionary power to deny, revoke, or suspend licenses without clear standards. This unchecked authority creates a system ripe for arbitrary enforcement, violating due process rights as established in *Mathews v. Eldridge* (1976).

Second, the bill mandates that all firearm sales be recorded in an electronic database, effectively creating a government-run firearm registry. This measure mirrors historical attempts at firearm registration that have been repeatedly challenged under *McDonald v. City of Chicago* (2010), which affirmed that states cannot impose undue burdens on lawful firearm ownership.

Furthermore, HB 3076 forces firearm dealers to install and maintain continuous 24/7 video surveillance of their businesses, storing footage for five years. This is not only an invasion of privacy but also an unreasonable financial burden. The cost of purchasing, maintaining, and securely storing high-resolution, five-year archival footage could easily exceed tens of thousands of dollars per business, a devastating blow to small, family-owned dealers. These costs, along with the mandatory \$1 million in liability insurance, will drive many small dealers out of business—not because they are unsafe, but because they cannot afford to comply.

On top of that, DOJ inspectors would have unrestricted access to this footage without a warrant, a direct violation of Fourth Amendment protections. *Carpenter v. United States* (2018) ruled that warrantless collection of digital records is unconstitutional, yet this bill demands compliance without any judicial oversight. The precedent set in *New York v. Burger* (1987) allows for inspections of regulated industries but requires clear statutory limits, which HB 3076 fails to provide.

Finally, HB 3076 criminalizes firearm sales without a state license, turning law-

abiding business owners into felons overnight. This is not about public safety—it is about bureaucratic control and the systematic erosion of our constitutional freedoms.

I urge this committee to reject HB 3076 and its amendment. Laws that burden law-abiding citizens while doing little to deter crime should have no place in Oregon. Protect our constitutional rights—vote no on HB 3076.

Thank you.