

Submitter: ANDREW HALL
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB3076

Opposition Testimony to HB 3076-1

Oregon Legislative Assembly

March 20, 2025

Honorable Members,

I oppose HB 3076-1, which creates a state firearms dealer licensing regime. While aimed at safety, it raises serious legal and practical issues.

Constitutional Issues: The bill's extensive requirements—state licenses, training, security measures—may violate the Second Amendment under Bruen (2022), lacking historical precedent. It also risks breaching the Commerce Clause by burdening interstate commerce, especially with residency rules (Section 3(1)(d)), conflicting with federal law (18 U.S.C. § 923).

Federal Preemption: The Gun Control Act already regulates dealers. HB 3076-1's overlap, like felony penalties for unlicensed sales (Section 8), may be preempted under the Supremacy Clause, duplicating ATF oversight unnecessarily.

Economic Burden: Small dealers face high costs—fees (\$50-\$1,500, Section 2(6)), \$1 million insurance (Section 6(5)), security upgrades (Section 6)—potentially violating equal protection (Or. Const., Art. I, § 20) by disproportionately harming them without clear safety gains.

Practical Overreach: Annual inspections (Section 4), 24/7 surveillance (Section 6), and vague terms (e.g., "good cause," Section 3(3)(b)) burden dealers and the Department of Justice. No evidence shows these reduce crime beyond federal rules, risking arbitrary enforcement and due process issues.

Alternatives: Enhance ATF coordination or existing laws (ORS 166.400) instead of this costly framework.

Conclusion: HB 3076-1 oversteps constitutional limits, preempts federal law, and burdens small businesses without proven benefits. Reject or revise it to balance safety and rights.

Respectfully,

Andrew Hall

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