

March 20, 2025

House Committee on Judiciary
Oregon State Legislature
900 Court St NE
Salem, OR 97301

Subject: Testimony in Opposition to House Bill 3076

Chair Kropf, Vice-Chairs Chotzen and Wallan, and Members of the Committee:

Thank you for the opportunity to submit testimony today in opposition to House Bill 3076. My name is Michael Findlay, and I represent the National Shooting Sports Foundation (NSSF). HB 3076, which seeks to impose additional state licensing requirements and regulations on federally licensed firearm dealers, is an unnecessary, burdensome, and unconstitutional overreach that threatens small businesses, lawful commerce, and Second Amendment rights.

Key Concerns with HB 3076

1. Duplicative and Unnecessary Regulation

Federal law already requires firearm dealers to obtain a Federal Firearms License (FFL) from the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). These licensees undergo extensive background checks, maintain detailed transaction records, and are subject to federal inspections. By creating a state-level licensing requirement, HB 3076 adds an unnecessary layer of bureaucracy that does not enhance public safety but instead creates redundant and conflicting regulatory burdens.

2. Excessive Fees and Financial Hardship for Small Businesses

The bill imposes a tiered licensing fee structure ranging from \$50 to \$1,500 based on sales volume. These fees, combined with compliance costs associated with inspections, security measures, training mandates, and record-keeping, will disproportionately impact small firearm retailers, potentially forcing many out of business. Additionally, allowing the Department of Justice to annually increase these fees by up to 20% creates uncertainty and financial instability for business owners. This unchecked authority lacks transparency and accountability, raising concerns about arbitrary fee hikes aimed at discouraging firearm sales rather than ensuring public safety.

3. Overly Intrusive Inspections and Privacy Concerns

HB 3076 mandates annual on-site inspections of firearm dealers and allows for additional unannounced inspections at any time. This level of surveillance exceeds even federal ATF requirements and raises serious Fourth Amendment concerns. Routine warrantless searches of

businesses without probable cause undermine fundamental rights and create an adversarial relationship between lawful dealers and regulatory authorities. Furthermore, the bill's requirement that retailers provide detailed transaction records and surveillance footage upon request raises concerns about customer privacy and the potential for government overreach in tracking lawful firearm owners.

4. Unconstitutional Burdens on Lawful Commerce

The Second Amendment guarantees the right to keep and bear arms, and the Supreme Court has consistently ruled against laws that impose undue burdens on the lawful sale of firearms. HB 3076 places unjustifiable barriers on firearm transactions by:

- Restricting when and where licensed dealers may conduct business.
- Imposing extensive security mandates that are financially and logistically unfeasible for many retailers.
- Establishing arbitrary training and employment restrictions that exceed federal standards.

These excessive restrictions amount to a de facto infringement on lawful commerce and citizens' rights to access firearms.

5. Security Mandates Are Impractical and Costly

While firearm dealers already take extensive measures to secure their inventory, HB 3076 imposes rigid security requirements, including steel bars on windows, specific storage mandates, and continuous 24/7 surveillance with multi-year video retention. These requirements may be impractical or even structurally impossible for certain retailers to implement, particularly those in leased storefronts. Rather than promoting public safety, these excessive mandates serve to discourage lawful business operations and impose financial barriers that disproportionately affect small, family-owned gun stores.

Conclusion

HB 3076 is a misguided attempt to regulate firearm dealers out of existence under the guise of public safety. This bill does not target criminals; instead, it punishes law-abiding businesses and gun owners with excessive fees, invasive inspections, and burdensome security mandates.

I urge this committee to reject HB 3076 and instead focus on enforcing existing federal laws that already regulate firearm dealers. The state should not be in the business of creating unnecessary barriers to the lawful exercise of constitutional rights.

Thank you for your time and consideration.

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