

Dear Members of the Senate Committee,

I am writing to express my sincere and strong opposition to Senate Bill 243, which proposes even more modifications to the firearm permit provisions established by Ballot Measure 114 (2022) and modifies the affirmative defense language for the large capacity magazine provisions of Ballot Measure 114 (2022). While I acknowledge the importance of ensuring public safety, I believe that SB 243 introduces measures that unreasonably infringe upon the constitutional rights of law-abiding and responsible Oregonians and impose undue burdens without clear evidence of effectiveness.

Below is a list of my key concerns:

Affirmative Defense Language For "Large" Capacity Magazine Provision Modifications:

One of the most concerning aspects of SB 243 is its modification of the affirmative defense language for so-called "large" capacity magazines. The proposed changes create unnecessary legal uncertainty and place undue risk on law-abiding gun owners. The bill alters the conditions under which possession of magazines exceeding 10 rounds is considered legal. These modifications could create confusion for lawful and responsible Oregon gun owners, making compliance with the law more difficult and increasing the risk of inadvertent legal violations for everyday Oregonians.

The modifications shift the burden of proof onto individuals who lawfully possessed these magazines prior to the enactment of previous restrictions. This shift presumes guilt rather than innocence, requiring gun owners to provide documentation or other evidence to avoid prosecution—an unreasonable, discriminatory, and potentially unconstitutional demand. Many Oregonians, and myself included, rely on standard-capacity magazines for self-defense. Limiting the affirmative defense options could leave individuals vulnerable in life-threatening situations where a standard-capacity magazine may be necessary to neutralize multiple threats. There is no substantial evidence that restricting magazine capacity reduces violent crime. Criminals, by definition, do not abide by regulations, meaning these restrictions unjustly impact law-abiding Oregon citizens rather than addressing the root causes of gun violence.

As a responsible gun owner, I pray to never have to use my firearm in a self-defense situation, however, if my life is in immediate danger or I am under threat of severe bodily harm by one or more individuals, I do not want my or my family's ability to defend ourselves in or outside of our home to be unduly limited by vague and ambiguous language or laws based off of arbitrary magazine capacity limitations.

Extended Application Processing Time:

SB 243 proposes to extend the time for permit agents to issue or deny firearm purchase permits from 30 to 60 days. This prolonged period could unnecessarily delay individuals from exercising their constitutionally protected Second Amendment rights, especially considering that background checks can be conducted more efficiently.

Increased Fees:

The bill seeks to raise the maximum fees for initial and renewal permit applications. This

increase could disproportionately affect low-income individuals, effectively making the right to bear arms contingent upon one's financial means. Such economic barriers are inconsistent with equitable access to constitutional rights and will cause unnecessary financial burden.

Delayed Implementation of Permit Requirements:

By postponing the enforcement of permit requirements for firearm transfers until July 1, 2026, SB 243 creates a prolonged period of uncertainty. This delay undermines the intent of Measure 114 and could lead to inconsistent application of firearm regulations across the state.

Constitutional Concerns:

The additional requirements and restrictions proposed in SB 243 may be viewed as infringements on the Second Amendment rights of Oregonians. Implementing measures that lack historical precedent or clear justification could lead to costly legal battles, diverting resources from more effective public safety initiatives.

While the goal of reducing gun violence is commendable, SB 243 introduces provisions that do not effectively address the root causes of such violence and instead place undue burdens on responsible gun owners and limit their ability to protect themselves. I strongly urge you to consider alternative approaches that focus on enforcing existing laws, enhancing mental health services, and promoting responsible gun safety and ownership without infringing upon constitutional rights.

I earnestly thank you for your time and attention to this critical matter.

Sincerely,
Joe Marshall