

# Michael C. Smith

Date: 27 March 2025  
To: Senate Judiciary Committee  
From: Michael C. Smith  
Re: Regarding problems, both legal and practical, with SB 243 Amendment 1

Chair Prozanski, Vice-Chair Thatcher, and Honorable Members of the Senate Committee on Judiciary,

My name is Michael Smith. For purposes of identification, I am a gun owning Democrat. While I serve many roles in the Democratic Parties of Oregon and Multnomah County, I'm providing this testimony today in a personal capacity.

I have examined Amendment 1 of SB 243, and I am **opposed** to this Amendment in its current form.

As a gun-owning Democrat, I support evidence-based policies to reduce the harm that firearms can cause. In Oregon, the primary harm is suicide, so I support policies that reduce firearm-related suicides, as well as homicides of all kinds.

The Amendment is a mixed bag; some of these policies are clearly evidence-based, some are not, and some will be unworkable due to court precedent. For these reasons, I propose scrapping the Amendment and writing a new, narrower Amendment.

**The 72 hour waiting period is a bad element:** this is utterly redundant now that we have permit-to-purchase in place. One of the main reasons for firearms ownership is self-defense, and a waiting period only hampers this. I urge the Committee to scrap this component of the Amendment altogether.

**I support the rapid-fire device ban** and agree that this ban should have an exception for registered machine guns. I would urge the Committee to keep this component of the Amendment. In my opinion, a new Amendment should be written to include the rapid-fire device ban, and that alone. To strengthen the position of the state, this new amendment should take into account the reasoning of the Supreme Court in overturning the federal ban on bump stocks and other rapid-fire devices on bump stocks and other rapid-fire devices in [Garland v. Cargill \(2024\)](#).

**Raising the age to buy most firearms to 21 years of age is problematic.** While I support this idea in principle, the Committee should be aware that [a federal court recently did away with the federal ban on persons under 21 purchasing handguns](#). Because this part of the Amendment is not likely to survive the inevitable court challenge, which would waste already precious resources, I advise that this part of the Amendment be eliminated.

**I oppose allowing additional restrictions on lawful concealed carry.** As I read this amendment, it could, for example, allow the City of Portland to ban the legal carrying of concealed firearms in public parks as long as they have so much as a bathroom in place. Again: one of the main reasons for firearms ownership is self-defense. Allowing these restrictions will not improve public safety, and will jeopardize everyday Oregonians as they travel across the state. I urge the Committee to scrap this component of the Amendment altogether.

**In summary: given the problems with this Amendment, I urge the Committee to reject this Amendment and send it back to the drawing board. The new Amendment should only include the rapid-fire device ban, and should be written in such a way that it will survive the scrutiny of the federal courts.**

Sincerely,

Michael C. Smith