

Submitter: Larry M. Gunter
On Behalf Of:
Committee: Senate Committee On Judiciary
Measure, Appointment or Topic: SB429

I stand in firm opposition to Senate Bill 429, which mandates a 72-hour waiting period between requesting a background check and transferring a firearm or unfinished frame or receiver. This bill strays from Oregon's current law, lacks historical footing, and imposes inequities that violate both state and federal constitutions, undermining the rights of law-abiding citizens like me.

Historically, SB 429 is a misfit. When the Second Amendment was ratified in 1791—and Oregon's Article I, Section 27 echoed it in 1857—firearm acquisition was immediate. Colonial Americans bought muskets from blacksmiths or merchants without delay, as self-defense and militia duties demanded swift access (e.g., 1792 Militia Act required personal arming). NO law from that era imposed waiting periods—restrictions focused on who could bear arms, not when. *New York State Rifle & Pistol Association v. Bruen* (597 U.S. 1, 2022) demands regulations match this tradition; SB 429's 72-hour delay has NO colonial analogue, rendering it constitutionally suspect from the start.

Current Oregon law, under ORS 166.412, already ensures safety without this burden. Buyers pass a background check through the Department of State Police before a transfer, and once approved, it's instant. SB 429 piles on a redundant 72-hour wait, even for vetted CHL holders like me, offering no evidence it catches threats the current system misses. This isn't progress—it's overreach, echoing federal missteps struck down in *Cargill v. Garland* (144 S. Ct. 1613, 2024), where unnecessary bans crumbled under scrutiny.

The inequities are stark. *District of Columbia v. Heller* (554 U.S. 570, 2008) guarantees my right to firearms for self-defense, yet SB 429 delays that right—72 hours could be life-or-death for someone fleeing abuse. Oregon's law-abiding buyers face this extra hurdle with no historical basis or clear gain—liberty demands better. *McDonald v. City of Chicago* (561 U.S. 742, 2010) binds Oregon to this protection, but the bill's blanket rule ignores urgency, favoring vague safety claims over my rights.

SB 429's immunity for dealers who comply adds insult, shielding them from liability while I'm left defenseless, waiting. It violates due process under *Grayned v. City of Rockford* (408 U.S. 104, 1972)—its purpose is unclear, risking arbitrary enforcement.

I urge you to reject this bill. Oregon's current law balances safety and rights; SB 429 tips that scale with no historical root or proven need, trampling my constitutional freedoms in the process.

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