

To the Esteemed Members of the House Committee on Rules,

My name is Greg Fishback, and I am the owner of the Defensive Arts Center and a certified Defensive Tactics instructor for both DPSST officers and responsible civilians. I stand in **strong opposition to Senate Bill 243, even with the proposed -AMR11 amendment**. While some might perceive the -AMR11 amendment as dampening concerns, a closer examination reveals that it introduces or retains provisions that **fundamentally erode constitutional protections** and impose severe, unnecessary burdens on law-abiding citizens.

This legislation, despite its modifications, **continues to target responsible firearm owners without providing any demonstrable benefit to public safety**. We highlight the following critical areas of concern within SB 243 (-AMR11) that warrant its rejection:

- **Significant Escalation of Penalties for Concealed Handgun License (CHL) Holders in Public Spaces and Adjacent Grounds:**
 - The -AMR11 amendment repeals previous provisions (like ORS 166.377) that allowed governing bodies to adopt policies limiting concealed handgun licensees' affirmative defense. However, it crucially **removes the affirmative defense** that would have reduced a Class C felony to a Class A misdemeanor for CHL holders found possessing a firearm in specific "public buildings" and associated areas, including the Capitol and large commercial airport passenger terminals.
 - This means that under SB 243 (-AMR11), a law-abiding CHL holder, who is "vetted, licensed Oregonian who has followed every rule", could now face a **Class C felony** for possessing a firearm in a public building. This is a severe increase in penalty, transforming what was once a misdemeanor affirmative defense into a felony charge.
 - The definition of "public building" still includes **"the grounds adjacent to each such building"**. As I've previously testified, these "adjacent grounds" can mean "sidewalks, courtyards, lawns, shared parking lots—places with **no clear boundaries**". This creates "legal traps" where a CHL holder could be "perfectly legal on one side of a sidewalk, and a criminal on the other". The lack of clear boundaries sets up "arbitrary enforcement" based on "invisible lines and unclear policies".
 - This directly **undermines the CHL program** by punishing vetted, licensed Oregonians and significantly expands "gun-free zones" in a way that risks inadvertently criminalizing citizens. It sends a "clear message to individuals intent on harm that they may encounter less resistance from armed, trained civilians".
- **Introduction of New Firearm Prohibitions for Disqualifying Drug Offenses and Mandatory Transfer Requirements:**
 - SB 243 (-AMR11) introduces a concerning new provision that **prohibits individuals charged with "disqualifying drug offenses" from possessing firearms** via a court order at first appearance.
 - This mandates that such individuals **transfer all firearms** in their possession to a law enforcement agency, a gun dealer, or a third party within 24 hours, even *before*

any conviction. This requirement places an immediate and significant burden and cost on individuals who are still awaiting due process.

- This represents a **significant expansion of firearm prohibition categories** that could impact individuals whose offenses may be minor or who are ultimately not convicted.
- **Retention of Mandatory 72-Hour Waiting Period for Firearm Transfers:**
 - The bill maintains the requirement for gun dealers to wait at least 72 hours from the time of a background check request before transferring a firearm, even after receiving a unique approval number.
 - This arbitrary waiting period **does not deter criminals**, who acquire firearms through illicit means, but instead creates an unnecessary barrier for law-abiding citizens seeking to exercise their right to self-defense or for legitimate sporting and hunting purposes.

In conclusion, SB 243 (-AMR11) continues to be an ill-conceived piece of legislation that **builds a confusing patchwork of regulations**. It burdens law-abiding citizens, leaves citizens feeling "defenseless" in public spaces, and "increases the risk of mass casualty events". It does nothing to address the root causes of violence, such as mental health issues or illegal gun trafficking.

We implore this committee to **reject SB 243 (-AMR11)** and instead engage with subject matter experts to craft clear, open, and effective legislation that truly enhances public safety without infringing on the rights of responsible Oregonians. As I stated previously, I am available to help.

Thank you.

Greg Fishback
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Certified Defensive Tactics Instructor