

Submitter:

Bryson Baker

On Behalf Of:

Committee:

House Committee On Rules

Measure, Appointment or Topic:

SB243

I respectfully submit this testimony in opposition to Senate Bill 243 (SB 243), a firearm regulation package that imposes significant restrictions on the constitutional rights of law-abiding Oregonians. While I understand the intent to enhance public safety, this bill is misguided, costly, and ineffective in addressing the root causes of gun violence. Below, I outline key concerns with SB 243, supported by evidence and reasoning.

1. Infringement on Second Amendment Rights

SB 243 includes provisions that severely limit the right to bear arms, a fundamental freedom protected by the U.S. and Oregon Constitutions. The bill bans rapid-fire devices like bump stocks, imposes a 72-hour waiting period for firearm purchases, and allows local governments to prohibit concealed carry in public buildings, even for licensed holders. These measures disproportionately burden responsible gun owners while doing little to deter criminals who, by definition, do not comply with laws. The Oregon Court of Appeals recently upheld Measure 114, affirming the constitutionality of certain restrictions, but SB 243 goes further, creating a patchwork of local rules that could criminalize lawful concealed carry. This undermines the uniformity of Oregon's concealed handgun licensing system and punishes those who follow the law.

The U.S. Supreme Court's ruling in *New York State Rifle & Pistol Association v. Bruen* (2022) emphasizes that restrictions on Second Amendment rights must be consistent with historical traditions of firearm regulation. SB 243's broad bans and waiting periods lack such historical grounding, risking legal challenges that could cost Oregon taxpayers millions in litigation fees.

2. Ineffectiveness in Preventing Gun Violence

Proponents of SB 243 argue it will reduce gun violence, yet the bill fails to address the primary drivers of such incidents: mental health crises and criminal behavior. Senate Republican Leader Daniel Bonham noted that SB 243 does not address Oregon's shortage of mental health care, despite suicides being the leading cause of firearm deaths. Focusing on accessories like bump stocks—used in rare, high-profile incidents—diverts attention from enforcing existing laws against illegal firearm use. The 2017 Las Vegas shooting, often cited by supporters, was an outlier, not a common scenario in Oregon.

Moreover, criminals do not adhere to waiting periods or gun-free zones. The 72-hour waiting period may delay lawful purchases for self-defense, particularly for individuals facing immediate threats, such as domestic violence victims. Studies, like one from the National Research Council (2013), show waiting periods have negligible effects on reducing violent crime rates. Instead, SB 243 burdens law-abiding citizens while leaving criminals unaffected.

3. Financial Burden on Oregonians

SB 243 imposes significant costs on both the state and local governments. The bill requires at least \$14.7 million in state spending for 2025–27 to expand background checks and implement new regulations, with “indeterminate” costs for counties. These unfunded mandates could force local governments to divert funds from essential services like mental health care, housing, and public safety—ironically, the very areas that could reduce gun violence. Forcing counties to absorb these costs without state support strains already tight budgets, potentially leading to tax increases or service cuts.

Additionally, the bill’s restrictions on small businesses, such as gunsmiths and firearm dealers, could drive them out of business due to compliance costs. This harms local economies and limits access to lawful firearm services.

4. Lack of Public Input and Transparency

The legislative process for SB 243 has been criticized for its lack of transparency. Last-minute amendments, including attempts to incorporate Measure 114’s magazine ban, were introduced with minimal public scrutiny. This approach undermines trust in the legislative process.