

Submitter: Michael Garfias
On Behalf Of:
Committee: House Committee On Rules
Measure, Appointment or Topic: SB243
Testimony in Opposition to Oregon Senate Bill 243 2025 Regular Session

Honorable Members of the Oregon State Legislature,

I strongly oppose Senate Bill 243, which criminalizes possession, sale, and use of Glock switches and forced reset triggers (FRTs) and restricts concealed handgun license (CHL) holders in public areas. This bill is redundant, unconstitutional, and wastes resources while infringing on law-abiding Oregonians' rights.

First, SB 243 targets Glock switches, already illegal under federal law. The ATF classifies these devices, which convert semi-automatic firearms to fully automatic, as machine guns under the National Firearms Act (NFA) of 1934. Unregistered possession is a felony, punishable by up to seven years in prison. Oregon law enforcement can enforce this, making SB 243's provision redundant.

Second, including FRTs is misguided. A May 2025 DOJ settlement with Rare Breed Triggers, following the Supreme Court's 2024 *Cargill v. Garland* ruling, confirms FRTs are not machine guns under 26 U.S.C. § 5845(b). FRTs require a separate trigger pull per shot, unlike automatic firearms. The DOJ no longer enforces machine gun laws against FRTs and is returning seized devices. SB 243's attempt to criminalize FRTs ignores their legal status.

Third, machine guns are legal in Oregon but heavily regulated under the NFA and the 1986 Hughes Amendment. Owners face rigorous background checks, registration, and a \$200 tax stamp. Since 1934, only two legally owned machine guns have been used in crimes, proving the law-abiding nature of registered owners. SB 243 wrongly targets these citizens instead of criminals using illegal firearms.

Fourth, SB 243's public area restrictions unfairly target CHL holders, the most law-abiding group in the U.S. Data, like a 2017 Crime Prevention Research Center study, shows CHL holders have lower crime rates (under 0.2% permit revocations) than police. Yet, police face no such restrictions. These rules create a patchwork of banned areas, forcing CHL holders to leave firearms in cars, where they risk theft and use in crimes, undermining public safety.

Fifth, SB 243 misallocates resources. Law enforcement faces violent crime, drug trafficking, and property crimes. Enforcing a redundant law or policing CHL holders diverts effort from real priorities. The costs of training, investigations, and

prosecutions strain budgets without safety benefits.

Finally, SB 243 bans legally owned devices without compensation, an unconstitutional taking under the Fifth Amendment. Oregonians lawfully purchased these items, often at great cost. Retroactively criminalizing possession without a grandfather clause or compensation is unjust and requires taxpayer-funded compensation if passed.

In conclusion, SB 243 duplicates federal laws, targets legal devices, restricts law-abiding CHL holders, wastes resources, and violates constitutional rights. Reject this bill and focus on evidence-based policies targeting criminals, not law-abiding citizens.

Thank you,

Michael Garfias