

HB 4096-1
(LC 261)
2/13/26 (JLM/ps)

Requested by HOUSE COMMITTEE ON JUDICIARY (at the request of Representative Jason Kropf)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4096**

1 On page 1 of the printed bill, delete lines 4 through 28 and delete page
2 2 and insert:

3 **“SECTION 1.** ORS 166.270 is amended to read:

4 “166.270. (1) Any person who has been convicted of a felony under the law
5 of this state or any other state, or who has been convicted of a felony under
6 the laws of the Government of the United States, who owns or has in the
7 person’s possession or under the person’s custody or control any firearm
8 commits the crime of felon in possession of a firearm.

9 “(2) Any person who has been convicted of a felony under the law of this
10 state or any other state, or who has been convicted of a felony under the
11 laws of the Government of the United States, who owns or has in the
12 person’s possession or under the person’s custody or control any instrument
13 or weapon having a blade that projects or swings into position by force of
14 a spring or by centrifugal force or any blackjack, slungshot, sandclub,
15 sandbag, sap glove, metal knuckles or an Electro-Muscular Disruption
16 Technology device as defined in ORS 165.540, or who carries a dirk, dagger
17 or stiletto, commits the crime of felon in possession of a restricted weapon.

18 “(3) For the purposes of this section, a person ‘has been convicted of a
19 felony’ if, at the time of conviction for an offense, that offense was a felony
20 under the law of the jurisdiction in which it was committed. Such conviction
21 shall not be deemed a conviction of a felony if:

1 “(a) The court declared the conviction to be a misdemeanor at the time
2 of judgment; or

3 “(b) The offense was possession of marijuana and the conviction was prior
4 to January 1, 1972.

5 “(4) Subsection (1) of this section does not apply to any person who has
6 been:

7 “(a) Convicted of only one felony under the law of this state or any other
8 state, or who has been convicted of only one felony under the laws of the
9 United States, which felony did not involve criminal homicide, as defined in
10 ORS 163.005, or the possession or use of a firearm or a weapon having a
11 blade that projects or swings into position by force of a spring or by
12 centrifugal force, and who has been discharged from imprisonment, parole
13 or probation for said offense for a period of 15 years prior to the date of
14 alleged violation of subsection (1) of this section; or

15 “(b) Granted relief from the disability under 18 U.S.C. 925(c) or ORS
16 166.274 or has had the person’s record expunged under the laws of this state
17 or equivalent laws of another jurisdiction.

18 **“(5)(a) Except as provided in paragraph (b) of this subsection, felon**
19 **in possession of a firearm is a Class C felony.**

20 **“(b) Felon in possession of a firearm is a Class B felony if, in the**
21 **commission of the offense, the person owns or has in the person’s**
22 **possession, or under the person’s custody or control, six or more**
23 **firearms.**

24 **“(c) The Oregon Criminal Justice Commission shall classify felon**
25 **in possession of a firearm committed under the circumstances de-**
26 **scribed in paragraph (b) of this subsection as crime category 7 of the**
27 **sentencing guidelines grid of the commission.**

28 **“(6) Felon in possession of a restricted weapon is a Class A**
29 **misdemeanor.”.**