

House Bill 2652

Sponsored by Representative G SMITH

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits unit of government from seizing firearms from individuals in lawful possession of firearms during declared emergency.

A BILL FOR AN ACT

1
2 Relating to seizure of firearms by unit of government during declared emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS 401.015 to**
5 **401.105.**

6 **SECTION 2. (1) As used in this section, "unit of government" means any department or**
7 **agency of the federal government, any state or any agency, office or department of a state,**
8 **any city, county, district, commission, authority, entity, port or other public corporation**
9 **organized and existing under statutory law or under a voter-approved charter and any**
10 **intergovernmental entity created under ORS 190.003 to 190.130, 190.410 to 190.440 or 190.480**
11 **to 190.490.**

12 **(2) Notwithstanding ORS 401.065, 401.085, 401.095 and 401.115, during a state of emergency**
13 **declared under ORS 401.055, a unit of government may not seize a firearm from an individual**
14 **who lawfully possesses the firearm.**

15 **(3) If a unit of government seizes a firearm from an individual during a state of emer-**
16 **gency in violation of this section, the individual may recover from the unit of government**
17 **that seized the firearm costs incurred in the recovery of the firearm, including attorney fees,**
18 **court costs and any other costs incurred in the recovery of the firearm.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.