

**2009 Regular Legislative Session**  
**FISCAL ANALYSIS OF PROPOSED LEGISLATION**  
**Prepared by the Oregon Legislative Fiscal Office**

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**MEASURE NUMBER:** HB 2463                      **STATUS:** A Engrossed  
**SUBJECT:** Provides person licensed to carry concealed handgun in another state with protections provide to person who have been issued an Oregon concealed handgun license.  
**GOVERNMENT UNIT AFFECTED:** Oregon State Police  
**PREPARED BY:** Tim Walker  
**REVIEWED BY:** Doug Wilson  
**DATE:** April 30, 2009

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	<u>2009-2011</u>	<u>2011-2013</u>
<b>EXPENDITURES:</b> See Analysis.		

**EFFECTIVE DATE:** On passage.

**LOCAL GOVERNMENT MANDATE:** This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

**ANALYSIS:** This bill would allow the law enforcement agencies in Oregon to recognize concealed handgun licenses (CHL) from other states as valid in Oregon. The bill also requires the Oregon State Police (OSP) to adopt rules that identify states that issue reciprocal licenses and the eligibility requirements of the issuing state to be substantially similar to Oregon's.

The fiscal impact of this bill is indeterminate. OSP believes the bill would require the addition of an Administrative Specialist 2, at a cost of \$143,312 in the 2009-11 biennium and \$118,312 in the 2011-13 biennium, to fulfill the requirements of the bill. OSP states that to fulfill the requirements of they will need to review all states' rules, statutes, and ordinances to insure that they are substantially similar to Oregon's requirements and this review would need to be done on a quarterly basis to make sure they continue to comply with Oregon's requirements. In addition, OSP believes the legislative intent is for OSP to provide real-time verification of the validity of a CHL from another state to local law enforcement agencies. OSP also states that they do not have the resources available to meet the requirements of the bill.

LFO believes that the bill provides broad discretion to OSP in how they interpret the requirements of the bill and there may be more than one way to implement those requirements. For example, if a state requires a federal criminal background check and a gun safety course for granting a CHL, this may meet the substantially similar requirement of the bill. It would seem that OSP has the discretion, through rule making, to define a process that meets the requirements of the bill in a more cost effective manner. Because the bill grants OSP a broad authority in its interpretation, LFO believes that the fiscal impact is indeterminate. Based upon OSP implementation of the requirements, OSP may require a budget adjustment, by the current Legislature, the Emergency Board, or a future Legislature, if the agency's budgeted resources prove insufficient to cover the actual cost of this measure.