

House Bill 3182

Sponsored by Representative CAMERON; Representatives BENTZ, FREEMAN, GARRARD, OLSON, SPRENGER, THOMPSON, WHISNANT

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**.

Provides affirmative defense to crime of unlawful possession of firearm for state and federal corrections officers.

A BILL FOR AN ACT

1
2 Relating to firearms; creating new provisions; and amending ORS 166.260.

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

4 **SECTION 1.** ORS 166.260 is amended to read:

5 166.260. (1) ORS 166.250 does not apply to or affect:

6 (a) Sheriffs, constables, marshals, parole and probation officers, police officers, whether active
7 or honorably retired, or other duly appointed peace officers.

8 (b) Any person summoned by any such officer to assist in making arrests or preserving the
9 peace, while said person so summoned is actually engaged in assisting the officer.

10 (c) The possession or transportation by any merchant of unloaded firearms as merchandise.

11 (d) Active or reserve members of the Army, Navy, Air Force, Coast Guard or Marine Corps of
12 the United States, or of the National Guard, when on duty.

13 (e) Organizations which are by law authorized to purchase or receive weapons described in ORS
14 166.250 from the United States, or from this state.

15 (f) Duly authorized military or civil organizations while parading, or the members thereof when
16 going to and from the places of meeting of their organization.

17 (g) A corrections officer [*while transporting or accompanying an individual convicted of or ar-*
18 *rested for an offense and confined in a place of incarceration or detention while outside the confines*
19 *of the place of incarceration or detention*] **as defined in ORS 181.610 or who is employed by the**
20 **federal government.**

21 (h) A person who is licensed under ORS 166.291 and 166.292 to carry a concealed handgun.

22 (2) It is an affirmative defense to a charge of violating ORS 166.250 (1)(c)(C) that the person has
23 been granted relief from the disability under ORS 166.274.

24 (3) Except for persons who are otherwise prohibited from possessing a firearm under ORS
25 166.250 (1)(c) or 166.270, ORS 166.250 does not apply to or affect:

26 (a) Members of any club or organization, for the purpose of practicing shooting at targets upon
27 the established target ranges, whether public or private, while such members are using any of the
28 firearms referred to in ORS 166.250 upon such target ranges, or while going to and from such
29 ranges.

30 (b) Licensed hunters or fishermen while engaged in hunting or fishing, or while going to or re-
31 turning from a hunting or fishing expedition.

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.

1 (4) The exceptions listed in subsection (1)(b) to (h) of this section constitute affirmative defenses
2 to a charge of violating ORS 166.250.

3 **SECTION 2. The amendments to ORS 166.260 by section 1 of this 2011 Act apply to con-**
4 **duct occurring on or after the effective date of this 2011 Act.**

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