

# Senate Bill 346

Sponsored by Senator BURDICK, Representative TOMEI; Senators DINGFELDER, HASS, MONROE, ROSENBAUM, SHIELDS, STEINER HAYWARD, Representatives BAILEY, BARNHART, DOHERTY, FREDERICK, GALLEGOS, GREENLICK, WILLIAMSON (Presession filed.)

## 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**.

Creates crime of unlawfully transferring large capacity magazine. Punishes by maximum of one year's imprisonment, \$6,250 fine, or both.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to large capacity magazines; creating new provisions; amending ORS 161.005; and declaring  
3 an emergency.

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

5 **SECTION 1. (1) A person commits the crime of unlawfully transferring a large capacity**  
6 **magazine if the person knowingly sells, or otherwise transfers for consideration, a large ca-**  
7 **capacity magazine.**

8 **(2) This section does not apply to the sale or transfer for consideration of a large ca-**  
9 **capacity magazine to:**

10 **(a) A law enforcement unit of the federal government or a law enforcement unit as de-**  
11 **defined in ORS 181.610; or**

12 **(b) The active or reserve military forces of this state or of the United States.**

13 **(3) Unlawfully transferring a large capacity magazine is a Class A misdemeanor.**

14 **(4) As used in this section, "large capacity magazine" means an ammunition feeding de-**  
15 **vice with the capacity to accept more than 10 rounds of ammunition, but does not include:**

16 **(a) A feeding device that has been permanently altered so that it cannot accommodate**  
17 **more than 10 rounds of ammunition.**

18 **(b) A tubular magazine that is contained in a lever action firearm.**

19 **(c) A 0.22 caliber tube ammunition feeding device.**

20 **SECTION 2. ORS 161.005 is amended to read:**

21 161.005. ORS 161.005 to 161.055, 161.085 to 161.125, 161.150 to 161.175, 161.190 to 161.275, 161.290  
22 to 161.370, 161.405 to 161.485, 161.505 to 161.585, 161.605, 161.615 to 161.685, 161.705 to 161.737,  
23 162.005, 162.015 to 162.035, 162.055 to 162.115, 162.135 to 162.205, 162.225 to 162.375, 162.405 to  
24 162.425, 162.465, 163.005, 163.115, 163.125 to 163.145, 163.149, 163.160 to 163.208, 163.196, 163.215 to  
25 163.257, 163.261, 163.263, 163.264, 163.266, 163.275, 163.285, 163.305 to 163.467, 163.432, 163.433,  
26 163.505 to 163.575, 163.665 to 163.693, 164.005, 164.015 to 164.135, 164.138, 164.140, 164.205 to 164.270,  
27 164.305 to 164.377, 164.395 to 164.415, 164.805, 164.857, 164.886, 165.002 to 165.102, 165.109, 165.118,  
28 165.805, 166.005 to 166.095, 166.350, 166.382, 166.384, 166.660, 167.002 to 167.027, 167.057, 167.060 to  
29 167.100, 167.117, 167.122 to 167.162, 167.203 to 167.252, 167.310 to 167.340 and 167.350, 167.810 and  
30 167.820 **and section 1 of this 2013 Act** shall be known and may be cited as Oregon Criminal Code

**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 of 1971.

2 **SECTION 3. This 2013 Act being necessary for the immediate preservation of the public**  
3 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
4 **on its passage.**

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