

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2429

Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Measure Description:

Repeals sunset on provisions related to relief from prohibition on possessing and purchasing firearms.

Government Unit(s) Affected:

Psychiatric Security Review Board, Oregon State Police (OSP), Judicial Department

Summary of Expenditure Impact: See Analysis

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:

The measure repeals the sunset on provisions related to relief from prohibition on possessing and purchasing firearms. Additionally, the measure authorizes the Psychiatric Security Review Board (PSRB) to conduct relief hearings for persons found guilty except for insanity for certain misdemeanor crimes. PSRB is authorized to conduct the hearings with members from the adult hearings panel, juvenile hearings panel, or a combination of both.

Currently, an individual determined by the court as “mentally unfit” is barred under State and Federal law from purchasing or possessing a firearm unless that right is restored by an ATF-certified gun relief authority. PSRB was established as the State of Oregon’s ATF-certified gun relief authority in HB 2853 (2009). This authority will sunset January 1, 2016.

If the sunset is not repealed, and Oregon no longer has an ATF-certified gun relief authority in place, Oregon State Police (OSP) would no longer be eligible to receive federal grant monies that are provided to update the National Instant Criminal Background Check System (NICS) database. The grant funds, totaling around \$1 million Federal Funds per biennium, are used to update criminal records within the NICS database for the purposes of firearm background check screening. Receipt of the grant funds is dependent on the State having an ATF-certified gun relief program in place.

PSRB and the Judicial Department anticipate a minimal fiscal impact as a result of the potential additional relief hearings that may occur based on the measure’s changes.