

**Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session**  
**STAFF MEASURE SUMMARY**  
**House Committee On Judiciary**

**MEASURE: SB 315 B**  
**CARRIER: Rep. Clem**

**Fiscal:** Has minimal fiscal impact

**Revenue:** No Revenue Impact

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**Action Date:** 06/03/15

**Action:** Do Pass As Amended And Be Printed Engrossed.

**Meeting Dates:** 05/13, 06/02, 06/03

**Vote:**

Yeas: 5 - Barker, Barton, Greenlick, Lininger, Williamson

Nays: 4 - Krieger, Olson, Post, Sprenger

**Prepared By:** Jeff Rhoades, Counsel

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**WHAT THE MEASURE DOES:**

Establishes that temporary transfer of firearm without consideration for period of no more than seven calendar days to transferee personally known by transferor may be completed with telephonic background check request. Adjusts private citizen background check exemption language concerning transfers with regard to hunting, trapping or target shooting. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- How businesses engage in the sale of used firearms
- Record keeping for firearms transactions
- Second amendment rights

**EFFECT OF COMMITTEE AMENDMENT:**

Replaces measure.

**BACKGROUND:**

Senate Bill 315-B adjusts Senate Bill 941 (private citizen background checks) to allow for private citizens to temporarily transfer a firearm under certain circumstances. In order for such a transfer to be lawful, the transfer must be: 1) without consideration; 2) for a period of no more than seven calendar days; and 3) to a transferee personally known by the transferor. Should those requirements be met, a transferor may opt to utilize the statutory framework from ORS 166.436 for a telephonic background check.

Additionally, Senate Bill 315-B prescribes criminal penalties for those who complete a temporary transfer of a firearm when, as a direct result of the temporary transfer, the firearm is used in the commission of a crime or is possessed by a person who is prohibited under state or federal law from possessing a firearm. Should this occur, the transferor could be sentenced to a maximum of one year in jail, a \$6,250.00 fine or both. Lastly, Senate Bill 315-B adjusts language concerning background checks for hunting, trapping or target shooting in order to clarify the statutory intent of Senate Bill 941.