

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 07/01/15

Action: Do Pass As Amended And Be Printed Engrossed.

Meeting Dates: 07/01

Vote:

Yeas: 5 - Barnhart, Hoyle, Nosse, Rayfield, Smith Warner

Nays: 4 - Gilliam, Kennemer, McLane, Wilson

Prepared By: Erin Seiler, Committee Administrator

WHAT THE MEASURE DOES:

Permits telephonic background check for firearm transfers lasting no longer than seven days if transferee is personally known to transferor. Requires completion of form as specified and receipt of Oregon State Police approval prior to completion of transaction. Provides civil immunity for transferor who receives notification that transferee is qualified to complete transfer of firearm and retains required completed form documenting transfer. Makes minor change to definition of “transfer” between private parties for hunting, trapping or target shooting. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Provisions of amendment

EFFECT OF COMMITTEE AMENDMENT:

Removes provision creating Class A misdemeanor if firearm is used in commission of crime or possessed by person prohibited from doing so as result of transfer. Provides civil immunity for transferor who receives notification that transferee is qualified to complete transfer of firearm and retains required completed form documenting transfer.

BACKGROUND:

Senate Bill 315-C makes adjustments to Senate Bill 941 (2015), which went into effect on May 11, 2015. SB 941 requires criminal background checks to be obtained in person, through a gun dealer, when firearms are transferred between private parties. There are a number of exceptions for situations involving family members, law enforcement and temporary transfers. Temporary transfers include things like using another person’s firearm while target shooting or hunting, or when a firearm is in the possession of a repair person.

The measure creates another temporary transfer exception to the in-person background check requirement under SB 941 by permitting approval through a telephonic background check if the transferee is known personally to the transferor, no consideration is involved (no payment or other thing of value), and the transfer is for no more than seven days. SB 315-C provides civil immunity for transferors who receive notification that transferees are qualified to complete the transfer of firearms and who retain the required completed forms documenting such transfers.