

# House Bill 2424

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Department of Corrections)

## 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**.

Authorizes employees of Department of Corrections, State Board of Parole and Post-Prison Supervision and Oregon Corrections Enterprises who work in department building to store personal handgun and ammunition in vehicle. Directs department to adopt policies or rules for possession and storage of personal handguns and ammunition.

Provides that department, board and Oregon Corrections Enterprises do not have duty to inspect or secure vehicles or parking areas.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to the possession of certain weapons by authorized staff; creating new provisions; amending  
3 section 2, chapter 88, Oregon Laws 2014; and declaring an emergency.

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

5 **SECTION 1.** Section 2, chapter 88, Oregon Laws 2014, is amended to read:

6 **Sec. 2.** (1) Notwithstanding ORS 162.135 and 162.185 or any Department of Corrections regu-  
7 lation, rule, policy or provision of an employment contract to the contrary, if the department has  
8 not provided a secure and locked location for [*storing firearms owned by corrections officers, a cor-*  
9 *rections officer employed by the department may possess a firearm in the officer's*] **the storage of**  
10 **personal handguns and ammunition by authorized staff, authorized staff may possess a per-**  
11 **sonal handgun and ammunition in the authorized staff member's** personal vehicle when the  
12 vehicle is parked in a department parking lot if the [*officer*] **authorized staff member:**

13 (a) Is present [*in the officer's official capacity*] at a public building **owned or** occupied by the  
14 department;

15 (b) Has a valid concealed handgun license issued pursuant to ORS 166.291 and 166.292; and

16 (c) Has secured the [*firearm*] **personal handgun and ammunition** in a closed and locked [*trunk,*  
17 *glove compartment, center console or other container, and the key is not inserted into the lock, if the*  
18 *trunk, glove compartment, center console or other container locks with a key*] **container designed for**  
19 **the storage of firearms inside the vehicle.**

20 **(2)(a) Authorized staff may possess and store only the amount and types of ammunition**  
21 **authorized by the department by written policy or rule.**

22 **(b) The department shall adopt written policies or rules to carry out the purposes of this**  
23 **section. The policies or rules shall include, at a minimum, procedures for and responsibilities**  
24 **of authorized staff when possessing and storing personal handguns and ammunition on**  
25 **property owned or occupied by the department under this section.**

26 [(2)] **(3) As used in this section, "*corrections officer*" has the meaning given that term in ORS**  
27 **181.610.] and section 2 of this 2015 Act:**

28 **(a) "Authorized staff" means employees of the department and employees of the State**

**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 Board of Parole and Post-Prison Supervision and Oregon Corrections Enterprises who are  
2 assigned to work in or at a public building owned or occupied by the department.

3 (b) "Handgun" has the meaning given that term in ORS 166.210.

4 (c) "Vehicle" means a vehicle that is self-propelled or designed for self-propulsion that  
5 is enclosed by a solid top or cab, commonly known as a passenger car, van or truck, and that  
6 is used by authorized staff for transportation to and from the authorized staff member's  
7 assigned place of work.

8 **SECTION 2.** (1) The presence of a handgun or ammunition on property owned or occupied  
9 by the Department of Corrections pursuant to section 2, chapter 88, Oregon Laws 2014, does  
10 not, by itself, constitute a failure by the department, State Board of Parole and Post-Prison  
11 Supervision or Oregon Corrections Enterprises to provide a safe workplace.

12 (2) The department, board and Oregon Corrections Enterprises and their officers, em-  
13 ployees and agents do not have a duty:

14 (a) To patrol, inspect or secure any parking lot, parking garage or other parking area  
15 provided for employees or any privately owned vehicle located in the parking lot, parking  
16 garage or other parking area to ensure compliance with section 2, chapter 88, Oregon Laws  
17 2014; or

18 (b) To investigate, confirm or determine authorized staff's compliance with laws, rules  
19 or policies related to the ownership or possession of a handgun or ammunition or the  
20 transportation and storage of a handgun or ammunition.

21 **SECTION 3.** The amendments to section 2, chapter 88, Oregon Laws 2014, by section 1  
22 of this 2015 Act apply to employment contracts entered into or renewed on or after the ef-  
23 fective date of this 2015 Act.

24 **SECTION 4.** This 2015 Act being necessary for the immediate preservation of the public  
25 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect  
26 on its passage.