

SENATE AMENDMENTS TO A-ENGROSSED SENATE BILL 525

By COMMITTEE ON RULES

May 19

1 On page 1 of the printed A-engrossed bill, delete lines 7 through 26 and insert:

2 **“SECTION 2. (1) It is unlawful for a person to knowingly possess a firearm or ammuni-**
3 **tion if:**

4 **“(a) The person is the subject of a court order that:**

5 **“(A) Was issued or continued after a hearing for which the person had actual notice and**
6 **during the course of which the person had an opportunity to be heard;**

7 **“(B) Restrains the person from stalking, intimidating, molesting or menacing an intimate**
8 **partner, a child of an intimate partner or a child of the person; and**

9 **“(C) Includes a finding that the person represents a credible threat to the physical safety**
10 **of an intimate partner, a child of an intimate partner or a child of the person; or**

11 **“(b) The person has been convicted of a qualifying misdemeanor and, at the time of the**
12 **offense, the person was a family member of the victim of the offense.**

13 **“(2) The prohibition described in subsection (1)(a) of this section does not apply with re-**
14 **spect to the transportation, shipment, receipt, possession or importation of any firearm or**
15 **ammunition imported for, sold or shipped to or issued for the use of the United States Gov-**
16 **ernment or any federal department or agency, or any state or department, agency or poli-**
17 **tical subdivision of a state.**

18 **“(3) As used in this section:**

19 **“(a) ‘Convicted’ means:**

20 **“(A) The person was represented by counsel or knowingly and intelligently waived the**
21 **right to counsel;**

22 **“(B) The case was tried to a jury, if the crime was one for which the person was entitled**
23 **to a jury trial, or the person knowingly and intelligently waived the person’s right to a jury**
24 **trial; and**

25 **“(C) The conviction has not been set aside or expunged, and the person has not been**
26 **pardoned.**

27 **“(b) ‘Deadly weapon’ has the meaning given that term in ORS 161.015.**

28 **“(c) ‘Family member’ means, with respect to the victim, the victim’s spouse, the victim’s**
29 **former spouse, a person with whom the victim shares a child in common, the victim’s parent**
30 **or guardian, a person cohabiting with or who has cohabited with the victim as a spouse,**
31 **parent or guardian or a person similarly situated to a spouse, parent or guardian of the**
32 **victim.**

33 **“(d) ‘Intimate partner’ means, with respect to a person, the person’s spouse, the person’s**
34 **former spouse, a parent of the person’s child or another person who has cohabited or is**
35 **cohabiting with the person in a relationship akin to a spouse.**

1 “(e) **‘Possess’** has the meaning given that term in ORS 161.015.

2 “(f) **‘Qualifying misdemeanor’** means a misdemeanor that has, as an element of the of-
3 **fense, the use or attempted use of physical force or the threatened use of a deadly**
4 **weapon.”.**

5 On page 2, delete lines 1 through 11.

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