

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 941**

1 On page 1 of the printed A-engrossed bill, line 2, after “firearms;” delete
2 the rest of the line and delete lines 3 and 4 and insert “amending ORS
3 166.425 and 166.470.”.

4 Delete lines 6 through 20 and delete pages 2 through 23 and insert:

5 **“SECTION 1. ORS 166.425 is amended to read:**

6 “166.425. (1) A person commits the crime of unlawfully purchasing a
7 firearm if the person, knowing that the person is prohibited by state law
8 from owning or possessing the firearm or having the firearm under the
9 person’s custody or control, purchases or attempts to purchase the firearm.

10 “(2) Unlawfully purchasing a firearm is a Class [A *misdemeanor*] **C**
11 **felony.**

12 **“SECTION 2. ORS 166.470 is amended to read:**

13 “166.470. (1) Unless relief has been granted under ORS 166.274 or section
14 5, chapter 826, Oregon Laws 2009, or 18 U.S.C. 925(c) or the expunction laws
15 of this state or an equivalent law of another jurisdiction, a person may not
16 intentionally sell, deliver or otherwise transfer any firearm when the
17 transferor knows or reasonably should know that the recipient:

18 “(a) Is under 18 years of age;

19 “(b) Has been convicted of a felony;

20 “(c) Has any outstanding felony warrants for arrest;

21 “(d) Is free on any form of pretrial release for a felony;

22 “(e) Was committed to the Oregon Health Authority under ORS 426.130;

1 “(f) After January 1, 1990, was found to be a person with mental illness
2 and subject to an order under ORS 426.130 that the person be prohibited from
3 purchasing or possessing a firearm as a result of that mental illness;

4 “(g) Has been convicted of a misdemeanor involving violence or found
5 guilty except for insanity under ORS 161.295 of a misdemeanor involving vi-
6 olence within the previous four years. As used in this paragraph,
7 ‘misdemeanor involving violence’ means a misdemeanor described in ORS
8 163.160, 163.187, 163.190, 163.195 or 166.155 (1)(b); or

9 “(h) Has been found guilty except for insanity under ORS 161.295 of a
10 felony.

11 “(2) A person may not sell, deliver or otherwise transfer any firearm that
12 the person knows or reasonably should know is stolen.

13 “(3) Subsection (1)(a) of this section does not prohibit:

14 “(a) The parent or guardian, or another person with the consent of the
15 parent or guardian, of a minor from transferring to the minor a firearm,
16 other than a handgun; or

17 “(b) The temporary transfer of any firearm to a minor for hunting, target
18 practice or any other lawful purpose.

19 “(4) Violation of this section is a Class [A *misdemeanor*] **C felony**.

20 “**SECTION 3.** ORS 166.470, as amended by section 11, chapter 826, Oregon
21 Laws 2009, and section 11, chapter 360, Oregon Laws 2013, is amended to
22 read:

23 “166.470. (1) Unless relief has been granted under ORS 166.274 or 18
24 U.S.C. 925(c) or the expunction laws of this state or an equivalent law of
25 another jurisdiction, a person may not intentionally sell, deliver or otherwise
26 transfer any firearm when the transferor knows or reasonably should know
27 that the recipient:

28 “(a) Is under 18 years of age;

29 “(b) Has been convicted of a felony;

30 “(c) Has any outstanding felony warrants for arrest;

1 “(d) Is free on any form of pretrial release for a felony;

2 “(e) Was committed to the Oregon Health Authority under ORS 426.130;

3 “(f) After January 1, 1990, was found to be a person with mental illness
4 and subject to an order under ORS 426.130 that the person be prohibited from
5 purchasing or possessing a firearm as a result of that mental illness;

6 “(g) Has been convicted of a misdemeanor involving violence or found
7 guilty except for insanity under ORS 161.295 of a misdemeanor involving vi-
8 olence within the previous four years. As used in this paragraph,
9 ‘misdemeanor involving violence’ means a misdemeanor described in ORS
10 163.160, 163.187, 163.190, 163.195 or 166.155 (1)(b); or

11 “(h) Has been found guilty except for insanity under ORS 161.295 of a
12 felony.

13 “(2) A person may not sell, deliver or otherwise transfer any firearm that
14 the person knows or reasonably should know is stolen.

15 “(3) Subsection (1)(a) of this section does not prohibit:

16 “(a) The parent or guardian, or another person with the consent of the
17 parent or guardian, of a minor from transferring to the minor a firearm,
18 other than a handgun; or

19 “(b) The temporary transfer of any firearm to a minor for hunting, target
20 practice or any other lawful purpose.

21 “(4) Violation of this section is a Class [A *misdemeanor*] **C felony**.”.

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