

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 525**

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

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

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

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

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

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

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

18 **“(2) The prohibition described in subsection (1)(a) of this section**
19 **does not apply with respect to the transportation, shipment, receipt,**
20 **possession or importation of any firearm or ammunition imported for,**
21 **sold or shipped to or issued for the use of the United States Govern-**
22 **ment or any federal department or agency, or any state or department,**

1 agency or political subdivision of a state.

2 “(3) As used in this section:

3 “(a) ‘Convicted’ means:

4 “(A) The person was represented by counsel or knowingly and
5 intelligently waived the right to counsel;

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

9 “(C) The conviction has not been set aside or expunged, and the
10 person has not been pardoned.

11 “(b) ‘Deadly weapon’ has the meaning given that term in ORS
12 161.015.

13 “(c) ‘Family member’ means, with respect to the victim, the
14 victim’s spouse, the victim’s former spouse, a person with whom the
15 victim shares a child in common, the victim’s parent or guardian, a
16 person cohabiting with or who has cohabited with the victim as a
17 spouse, parent or guardian or a person similarly situated to a spouse,
18 parent or guardian of the victim.

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

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

24 “(f) ‘Qualifying misdemeanor’ means a misdemeanor that has, as
25 an element of the offense, the use or attempted use of physical force
26 or the threatened use of a deadly weapon.”.

27 On page 2, delete lines 1 through 11.

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