

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

Senate Committee on Judiciary

REVENUE: May have revenue impact, statement not yet issued**FISCAL: May have fiscal impact, statement not yet issued****SUBSEQUENT REFERRAL TO:****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Channa Newell, Counsel**Meeting Dates:** 2/11

WHAT THE MEASURE DOES: Prohibits gun dealer from transferring handgun to purchaser without unique approval number from Department of State Police. Prohibits person from transferring firearm to another if Department is unable to determine if transferee is qualified or disqualified to receive firearm. Requires Department to report to local law enforcement when it determines a person is prohibited from possessing firearm and an attempt to transfer was made.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: Proposed (-8) amendments allow for transfer of firearm if 10 business days have passed without approval or disqualification from the Department. Expands reporting requirements of Department of State Police when it determines attempted transfer was made by person prohibited from possessing firearm. Requires notification to US Attorney, district attorney in jurisdiction, and local law enforcement. Requires report within 24 hours of determination, unless it would compromise ongoing investigation. Requires annual report on attempted purchases by those prohibited from possessing firearm. Specifies firearm does not include power actuated device or construction tools.

BACKGROUND: Oregon statutes specify the procedure for both purchasing a handgun from a firearm dealer, purchasing a firearm at a gun show from individuals who are not dealers, and for transfers of firearms between individuals. In all cases, some form of background check is completed by the Oregon State Police, which provides a unique approval number for qualifying sales or transfers, or will alert the seller or dealer that the individual is disqualified from taking possession of the firearm. In some cases, the Department is not able to immediately determine whether the purchaser is qualified or disqualified. In the case of a sale through a gun dealer, if the Department is unable to verify the status of the purchaser, the dealer may deliver the handgun to handgun after a certain period of time has elapsed.