

78th Oregon Legislative Assembly - 2016 Regular Session
STAFF MEASURE SUMMARY
Senate Committee On Judiciary

MINORITY REPORT
MEASURE: HB 4044 MRA
CARRIER: Sen. Thatcher

Fiscal: No fiscal impact
Revenue: No Revenue Impact

Action Date: 02/18/16

Action: Do Pass With Different Amendments. (Printed A-Eng.) Minority

Meeting Dates: 02/16, 02/18

Signers of the Report: Sen. Kim Thatcher, Sen. Jeff Kruse

Prepared By: Channa Newell, Counsel

WHAT THE MEASURE DOES:

Allows pawnbroker to keep required registries in electronic form. Allows delivery of registry in electronic form to law enforcement when so required. Requires law enforcement to destroy physical or electronic records of firearm transfer within 30 days of receiving records from pawnbroker. Declares emergency; effective on passage.

ISSUES DISCUSSED:

- Firearm record requirement in place since 1989
- Intent to demonstrate registry is not a long-term registry
- Need for review of statute to determine if necessary or duplicative

EFFECT OF MINORITY AMENDMENT:

Requires law enforcement to destroy physical or electronic records of firearm transfer within 30 days of receiving records from pawnbroker.

BACKGROUND:

Pawnbrokers must keep a log of every transaction in a pawn shop. The general register may be in ink or electronic form, and must include the date of transaction, serial number of the pledge, the name and address of the pledgor, an identifying description of the pledged item, and several other notations. Pawnbrokers must also keep a record of each transaction, which includes a physical description of the pledgor. A copy of this transaction record must be delivered to local law enforcement within three days of the transaction. Finally, pawnbrokers must also keep a register of pledged firearms and purchased firearms. The duplicate copy of the firearm register must be hand delivered or mailed to local law enforcement on the day of purchase.

House Bill 4044 MRA allows all three registers (the general register, the record of transaction with physical description, and the firearm register) to be kept in electronic form and delivered to the local police agency in electronic form, as needed. Within 30 days of receiving the record from a pawnbroker, whether physically or electronically, law enforcement must destroy the record of the firearm registry.