

**Minority Report**  
**A-Engrossed**  
**House Bill 4044**

Ordered by the Senate February 22  
Including Senate Minority Report Amendments dated February 22

Sponsored by nonconcurring members of the Senate Committee on Judiciary: Senators THATCHER, KRUSE

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Permits pawnbroker to keep register or record in electronic form and to deliver register or record kept in electronic form to local police agency in electronic form.

**Requires local law enforcement agency to destroy record of information about selling, leasing or transferring firearm within 30 days after receiving record from pawnbroker.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to pawnbroker records; amending ORS 166.427 and 726.285; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 726.285 is amended to read:

5 726.285. (1) In addition to the register required under ORS 726.280, a pawnbroker shall record,  
6 for each transaction, the date, the name and address of the pledgor, the type and number of any  
7 proof of identification [*presented by*] the pledgor **presents**, a physical description of the pledgor and  
8 an identifying description of the article pledged.

9 (2) The pawnbroker shall deliver each record, or a copy [*thereof*] **of the record**, made under this  
10 section, within three days after the date of the transaction, to the local police agency that has ju-  
11 risdiction over the location at which the pawnbroker has a place of business.

12 **(3) A pawnbroker may keep a register required under ORS 166.427 or 726.280, or a record**  
13 **required under this section, in a physical or an electronic form. If a pawnbroker keeps a**  
14 **register or record in electronic form, the pawnbroker may deliver the register or record to**  
15 **the local police agency in electronic form.**

16 **SECTION 2.** ORS 166.427 is amended to read:

17 166.427. (1) Whenever a person engaged in the business, as defined in 18 U.S.C. 921, of selling,  
18 leasing or otherwise transferring a firearm, whether the person is a retail dealer, pawnbroker or  
19 otherwise, buys or accepts in trade, a used firearm, the person shall enter in a register the time,  
20 date and place of purchase or trade, the name of the person selling or trading the firearm, the  
21 number of the identification documentation presented by the person and the make, model and  
22 manufacturer's number of the firearm. The register shall be obtained from and furnished by the  
23 Department of State Police to the dealer on application at cost.

24 (2) [*The*] **A** duplicate sheet of the register shall, on the day of purchase or trade, be hand de-  
25 livered or mailed to the local law enforcement [*authority*] **agency**.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1           **(3) A local law enforcement agency shall destroy any physical or electronic record of the**  
2 **information described in subsection (1) of this section not later than 30 days after receiving**  
3 **the information from a pawnbroker.**

4           ~~[(3)]~~ (4) Violation of this section by any person engaged in the business of selling, leasing or  
5 otherwise transferring a firearm is a Class C misdemeanor.

6           **SECTION 3.** **This 2016 Act being necessary for the immediate preservation of the public**  
7 **peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect**  
8 **on its passage.**

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