

SB 66 A STAFF MEASURE SUMMARY

Carrier: Sen. Manning Jr

Senate Committee On Judiciary

Action Date: 03/13/17

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 4-0-1-0

Yeas: 4 - Dembrow, Linthicum, Manning Jr, Prozanski

Exc: 1 - Thatcher

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

WHAT THE MEASURE DOES:

Requires court to notify certain persons determined by court to have mental illness of prohibition on purchasing or possessing firearm. Requires court to notify persons found guilty except for insanity of sex crime of obligation to register as sex offender.

ISSUES DISCUSSED:

- Fairness in notifying individuals of the consequences of an adjudication
- ORS 181A.290 requires reporting of qualifying firearms prohibitions to Oregon State Police

EFFECT OF AMENDMENT:

Eliminates obligation of court to deliver hard copy of notice for entry into Law Enforcement Data System.

BACKGROUND:

Oregon law prohibits persons who have been civilly committed from possessing, purchasing or attempting to purchase a firearm. ORS 166.250; 166.425. Federal law prohibits persons who have "been adjudicated as a mental defective or...been committed to a mental institution" from shipping or possessing a firearm or ammunition. 18 U.S.C. 922 (g).

Oregon law requires persons convicted of or found guilty except for insanity of a sex crime to register as a sex offender. ORS 163A.010. Currently, the court is required to notify persons convicted of a sex crime of the obligation to register and Senate Bill 66-A expands this requirement to include persons found guilty except for insanity of a sex crime.