

SB 66 A STAFF MEASURE SUMMARY

Carrier: Rep. Lininger

House Committee On Judiciary

Action Date: 05/03/17

Action: Do Pass the A-Eng bill.

Vote: 10-0-1-0

Yeas: 10 - Barker, Gorsek, Lininger, Olson, Post, Sanchez, Sprenger, Stark, Vial, Williamson

Exc: 1 - Greenlick

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:

- Frequency of court notifications
- Process applicable to incompetent criminal defendants

EFFECT OF AMENDMENT:

No amendment.

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). Senate Bill 66-A requires the court to notify persons found to be mentally ill in a civil commitment proceeding, and persons found incompetent to stand trial, of the legal prohibition on purchasing or possessing a firearm.

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.