

# House Bill 3212

Sponsored by Representative RESCHKE; Representatives CLEM, ESQUIVEL, NEARMAN, NOBLE, OLSON, SMITH DB, WITT, Senators BOQUIST, LINTHICUM

## 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 **as introduced**.

Vests sole authority to regulate hunting ammunition and fishing gear with Legislative Assembly with specified exceptions. Prohibits public bodies from regulating hunting ammunition, fishing gear and angling equipment unless authorized by statute.

Applies to prohibitions, restrictions and regulations adopted by public bodies before, on and after effective date of Act.

## A BILL FOR AN ACT

1  
2 Relating to equipment used in taking animals; creating new provisions; and amending ORS 166.170.

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

4 **SECTION 1.** ORS 166.170 is amended to read:

5 166.170. (1) Except as expressly authorized by state statute, the authority to regulate in any  
6 matter whatsoever the sale, acquisition, transfer, ownership, possession, storage, transportation or  
7 use of firearms or any element relating to firearms and components thereof, including ammunition,  
8 is vested solely in the Legislative Assembly.

9 (2) Except as expressly authorized by state statute, no county, city or other municipal corpo-  
10 ration or district may enact civil or criminal ordinances, including but not limited to zoning ordi-  
11 nances, to regulate, restrict or prohibit the sale, acquisition, transfer, ownership, possession,  
12 storage, transportation or use of firearms or any element relating to firearms and components  
13 thereof, including ammunition. Ordinances that are contrary to this subsection are void.

14 (3) **Except as expressly authorized by state statute, no local or state agency or other**  
15 **public body, as defined in ORS 174.109, may prohibit, restrict or regulate the purchase, sale,**  
16 **possession or use of ammunition used in lawful hunting unless the prohibition, restriction**  
17 **or regulation pertains to the hunting of waterfowl. A prohibition, restriction or regulation**  
18 **contrary to this subsection is void.**

19 (4) **Notwithstanding subsections (1) and (3) of this section, the State Department of Fish**  
20 **and Wildlife may regulate by rule the caliber of firearm, and the number of rounds that may**  
21 **be in the firearm, that a person is permitted to use when hunting certain species.**

22 **SECTION 2.** (1) **Except as expressly authorized by state statute, the authority to regulate**  
23 **in any matter whatsoever the purchase, sale, possession or use of fishing gear, angling**  
24 **equipment or fishing tackle is vested solely in the Legislative Assembly.**

25 (2) **Except as expressly authorized by state statute, no local or state agency or other**  
26 **public body, as defined in ORS 174.109, may prohibit, restrict or regulate the purchase, sale,**  
27 **possession or use of fishing gear, angling equipment or fishing tackle. A prohibition, re-**  
28 **striction or regulation contrary to this subsection is void.**

29 **SECTION 3.** Section 2 of this 2017 Act and the amendments to ORS 166.170 by section 1

**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 **of this 2017 Act apply to prohibitions, restrictions and regulations adopted by public bodies**  
2 **before, on and after the effective date of this 2017 Act.**

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