

SB 978 A STAFF MEASURE SUMMARY**Carrier:** Sen. Thatcher**Senate Committee On Judiciary****Minority Report****Action Date:** 04/09/19**Action:** Do pass with different amendments. (Printed A-Eng.) Minority**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Report Signers:** Sen. Kim Thatcher, Sen. Dennis Linthicum**Prepared By:** Gillian Fischer, Counsel**Meeting Dates:** 4/2, 4/9**WHAT THE MEASURE DOES:**

Directs the Department of State Police to conduct a study on the reporting of attempted unlawful firearm transfers under ORS 166.412(7) and 166.436(5) and present the results of the study to the interim committees of the Legislative Assembly related to judiciary by September 15, 2020. Directs the Department of State Police (OSP) to conduct a study on the percentage of firearms reported stolen in this state that are successfully recovered. Requires OSP to study how firearm serial numbers are used by law enforcement to solve crimes in this state. Provides that OSP shall present the results of the study to the Legislative Assembly by September 15, 2020. Directs OSP to report annually to the Legislative Assembly on the number of firearm transfer criminal background checks that are delayed more than 30 minutes, the length of time of the delays, the number of delays that result in a determination that the recipient is disqualified, and the reasons for the disqualification. Directs the Oregon Criminal Justice Commission (CJC) to study criminal conviction data to determine the number of crimes committed each year involving a stolen firearm. Requires the CJC to study the number of firearm-related crimes each year committed by persons licensed to carry concealed handguns under ORS 166.291 and 166.292 and present the results of the study to the Legislative Assembly by September 15, 2020. Directs the Oregon Health Authority to study firearm-related deaths and present the results of the study to the Legislative Assembly by September 15, 2020. Directs the Department of Consumer and Business Services to study available insurance coverage to firearm owners for actions of another person's unauthorized use of the firearm. Requires results of the study be presented to the Legislative Assembly by September 15, 2020.

ISSUES DISCUSSED:

- Promotes safe storage of firearms
- Strict liability for injuries to encourage compliance with storage and transfer requirements
- Creates exceptions for recreational use activities where compliance requirements are overly cumbersome
- Parking lot exclusions included to allow for pick up and drop offs at public buildings and airports without violating potential future ordinances
- Child suicide rates increase when guns are accessible

EFFECT OF AMENDMENT:

Directs the Department of State Police (OSP) to conduct a study on the percentage of firearms reported stolen in this state that are successfully recovered. Requires OSP to study how firearm serial numbers are used by law enforcement to solve crimes in this state. Provides that OSP shall present the results of the study to the Legislative Assembly by September 15, 2020. Directs OSP to report annually to the Legislative Assembly on the number of firearm transfer criminal background checks that are delayed more than 30 minutes, the length of time of the delays, the number of delays that result in a determination that the recipient is disqualified, and the reasons for the disqualification. Directs the Oregon Criminal Justice Commission (CJC) to study criminal conviction data to determine the number of crimes committed each year involving a stolen firearm. Requires CJC to study the number of firearm-related crimes each year committed by persons licensed to carry concealed handguns

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under ORS 166.291 and 166.292 and present the results of the study to the Legislative Assembly by September 15, 2020. Directs the Oregon Health Authority to study firearm-related deaths and present the results of the study to the Legislative Assembly by September 15, 2020. Directs the Department of Consumer and Business Services to study available insurance coverage to firearm owners for actions of another person's unauthorized use of the firearm. Requires results of the study be presented to the Legislative Assembly by September 15, 2020.

BACKGROUND:

According to the National Center for Health Statistics and the Centers for Disease Control and Prevention, in 2017, 486 people in the United States died of unintentional gun injuries. 23,854 people committed suicide with a gun and 14,542 people were intentionally killed by gun injuries. About 10 percent of these deaths were children. Among US adolescents and young adults 10-24 years old, gun homicides are the third leading cause of death; gun suicides are the second. In 2010, 15,576 children were treated for gun injuries in U.S. emergency departments, and 1,970 of them died. The medical cost of treating gun injuries in children alone was over \$330 million in 2010.

Studies have found that adolescents' risk for suicide increases as their access to firearms increases. Suicide attempts in children are more likely to be successful when they have access to lethal weapons: 90 percent of suicide attempts with guns are successful, compared to less than 5 percent of suicide attempts using less lethal means, like medications or sharp objects. The risk for unintentional injury and suicide in children is reduced by 73 percent when guns are kept locked, and by 70 percent when they are kept unloaded.

Stolen guns represent a significant factor contributing to gun violence. More than 237,000 guns nationwide were reported stolen to the National Crime Information Center in 2016, a database maintained by the FBI. That represents a 68 percent increase in stolen weapons reported to the FBI since 2005. In addition, the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives has estimated that 500,000 guns are stolen annually from residences, many of which are never reported. A 2010 study by Mayors Against Illegal Guns found that, per capita, states without lost or stolen reporting laws are the source of more than 2.5 times as many crime guns recovered in other states as states with a lost or stolen reporting requirement.

Senate Bill 978 MRA establishes standards for the transfer, storage, and reporting loss or theft of firearms. SB 978 MRA also creates prohibitions of possession and manufacture of firearms that are undetectable or untraceable in accordance with current federally established standards. Finally, SB 978 MRA requires extensive study of stolen firearms, criminal records checks, and insurance options for firearm owners.