

Requested by Representative NOBLE

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4005**

1 On page 1 of the printed bill, line 2, after “requirements” delete the rest  
2 of the line and insert a period.

3 Delete lines 3 through 19.

4 On page 2, delete lines 1 through 12 and delete lines 14 through 45.

5 Delete pages 3 through 6 and insert:

6 **“SECTION 1. (1)(a) A person who owns, possesses or controls a**  
7 **firearm shall report the loss or theft of the firearm to a law enforce-**  
8 **ment agency in the jurisdiction in which the loss or theft occurred as**  
9 **soon as practicable but not later than within 72 hours of the time the**  
10 **person knew or reasonably should have known of the loss or theft.**

11 **“(b) If a means of reporting a loss or theft of a firearm within 72**  
12 **hours is not reasonably available, the person who owned, possessed or**  
13 **controlled the firearm that was lost or stolen must report the loss or**  
14 **theft within 24 hours of the means of reporting becoming available.**

15 **“(c) A person may include the serial number of the firearm in a**  
16 **report under this subsection.**

17 **“(2)(a) A violation of subsection (1) of this section is a Class B vio-**  
18 **lation.**

19 **“(b) Each firearm for which a person does not make the report**  
20 **within the time required by subsection (1) of this section constitutes**  
21 **a separate violation.**

1       “(c) A person who knowingly provides false information in a report  
2 required by subsection (1) of this section commits the crime of initi-  
3 ating a false report under ORS 162.375.

4       “(3) If a lost or stolen firearm is used to injure a person or property  
5 and the person who owned, possessed or controlled the firearm at the  
6 time of the loss or theft did not report the loss or theft within the time  
7 period required by subsection (1) of this section, the person who  
8 owned, possessed or controlled the firearm at the time of the loss or  
9 theft is strictly liable for the injury for two years from the expiration  
10 of the time limit for reporting or until the loss or theft report is made,  
11 whichever occurs sooner.

12       “(4) The liability imposed by subsection (3) of this section does not  
13 apply if the injury results from a lawful act of self-defense or defense  
14 of another person.

15       “(5)(a) Within 24 hours of receiving a report under subsection (1)  
16 of this section, a law enforcement agency shall create a record con-  
17 cerning the lost or stolen firearm in the Law Enforcement Data Sys-  
18 tem or another electronic database as determined by the Department  
19 of State Police.

20       “(b) A law enforcement agency is exempt from the obligation de-  
21 scribed in paragraph (a) of this subsection if the agency is unable to  
22 create a record concerning the lost or stolen firearm in the electronic  
23 database due to insufficient information.

24       “(c) The department may adopt rules to carry out the provisions  
25 of this subsection.

26       “(6) As used in this section:

27       “(a) ‘Firearm’ has the meaning given that term in ORS 166.210, ex-  
28 cept that it does not include a firearm that has been rendered perma-  
29 nently inoperable.

30       “(b) ‘Law enforcement agency’ has the meaning given that term in

1 **ORS 166.525.”.**

2

---