

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 554 - A36

81st Oregon Legislative Assembly – 2021 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Measure Description:

Creates new laws regarding firearms.

Government Unit(s) Affected:

Statewide, Local Government

Summary of Fiscal Impact:

Costs related to the measure are anticipated to be minimal - See explanatory analysis.

Analysis:

SB 554 with the -A36 amendment requires that, except in specified circumstances, firearm owners must secure their firearms with a trigger or cable lock or in a locked container or in a gun room. The measure establishes that failure to secure a firearm is a Class C violation for each firearm not in compliance with these requirements and it is a Class A violation if a minor obtains an unsecured firearm. The measure also applies strict liability for injury caused by unsecured firearms and requires gun dealers to post signage regarding safe storage requirements.

The measure specifies requirements for the transfer of a firearm and for reporting a lost or stolen firearm. A violation of firearm transfer requirements is a Class C violation. A person who owns a firearm would be required to report the loss or theft of the firearm to law enforcement as soon as is practicable but no later than 72 hours from the time the owner becomes aware of the loss or theft. Failure to report a lost or stolen firearm within that timeframe would be a Class B violation. The measure requires a law enforcement agency, within 24 hours of receiving a report of loss or theft, to create a record of the lost or stolen firearm in the Law Enforcement Data System (LEDS) or another electronic database as determined by the Oregon State Police (OSP).

In addition, the measure allows the governing boards of public universities, the Oregon Health and Science University, community colleges, and school districts to adopt a policy to limit or preclude possession of firearms by those licensed to carry a concealed handgun. These entities must post a sign visible to the public about the limitation or preclusion and must also post a notice on the entity’s website about the limitation or preclusion.

Current statutes stipulate that any person who intentionally possesses a loaded or unloaded firearm or any other instrument used as a dangerous weapon, while in or on a public building, shall upon conviction be guilty of a Class C felony. This measure expands the definition of public building to include a building occupied by a city, a county, a district, or any other entity that falls within the definition of “municipal corporation” and the passenger terminal of a commercial service airport with over one million passenger boardings per year. The measure further specifies that in a prosecution for the possession of a firearm within the Capitol or within the passenger terminal of a commercial service airport with over one million passenger boardings per year, subject to this preclusion of firearms, if a person proves by a preponderance of the evidence that, at the time of the possession, the person was licensed to carry a concealed handgun, upon conviction the person is guilty of a Class A misdemeanor.

The measure increases the fees payable to the county sheriff of the issuance and renewal of concealed handgun licenses. Sheriffs are funded by counties and local budgets are prepared under Local Budget Law (ORS 294.305-565).

Statewide and Local Government

Passage of this measure is anticipated to have a minimal fiscal impact on affected agencies and local government.

Note that the fiscal impact of this measure on the Oregon State Police (OSP) is minimal because police officers are exempt from the requirements of the measure if their law enforcement agency has a policy regarding firearm storage and firearms are stored according to that policy. However, OSP intends to implement the secure storage requirements of the measure. The agency anticipates this discretionary, one-time cost to be \$176,382 General Fund to purchase necessary equipment. OSP bases the estimate on a per firearm safe price of \$225 and two trigger or cable locks per sworn member at a cost of approximately \$7 each. The Governor's 2021-23 budget includes a policy option package for OSP in the to purchase safes to securely store officers' firearms.

No budgetary action is required to address the minimal fiscal impact of this measure; explanatory minimal fiscal impact language associated with the -A36 amendment has been added to maintain consistency with fiscal impact statements on other measures.