

Institute for Legislative Action

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

February 18, 2021

Representative Janelle Bynum
Committee on Judiciary
900 Court St., NE H-276
Salem, OR 97301

RE: House Bill 2543 - OPPOSE

Dear Chair Bynum and Members of the Committee on Judiciary:

On behalf of the tens of thousands of National Rifle Association (NRA) members in Oregon, I am writing to express our opposition to House Bill 2543 (HB 2543) and respectfully request that you oppose this legislation.

HB 2543, as drafted, eliminates the ability for Oregonians to purchase a new or used firearm from a gun dealer when the state police cannot complete a background check in three days. Although most gun dealers will not transfer a firearm without a completed background check, this provision is quite important to Oregonians as a check on the power of the State. Without a requirement that the background check be completed in a timely manner, the state police, through a directive from a superior, could stop all firearm transactions indefinitely.

This would deny Oregonians the constitutionally protected right, to own a firearm. Under both the Second Amendment to the United States Constitution and Section 1, Article 27 in the Oregon Constitution, there is a right to own firearms for personal defense. Without a deadline to complete a background check, Oregonians could be denied their right to purchase and therefore own a firearm. A right delayed is a right denied.

As I stated earlier, most, if not all, gun dealers chose to not transfer firearms without a completed check. The data provided by OSP for this hearing shows the number of pending transactions completed in three days is currently only 11%. Prior to 2020, the number was 30%. What I did not see in the data was the average wait time for completed checks that are not considered pending and how that compares to previous years.

My experience as a purchaser is as follows. Prior to 2020, I had never had to wait more than thirty minutes for a check to be completed. In 2020, it was four days. I was told by the dealer that was the new normal. When my request was submitted, the dealer informed me there were more than 2,000 others waiting in front of me. This number was significantly lower than the nearly 4,000 they had been experiencing earlier that month. The dealer could have completed the transaction after the third day, but they clearly stated up front that they would not complete the sale until the check passed.

This increase in the number of delays is astonishing and demonstrates how easy it would be for the state police to stop purchases out right, if they are directed to do so. This could also occur because they simply do not have the manpower to accommodate the rising demand. For these reasons, and others, we respectfully ask you to oppose HB 2543.

Sincerely,

Roger Beyer