

Requested by Representative DRAZAN

**PROPOSED AMENDMENTS TO
HOUSE BILL 2510**

1 On page 2 of the printed bill, delete lines 14 through 45 and delete pages
2 3 through 6 and insert:

3 **“SECTION 1. Sections 2 to 6 of this 2021 Act shall be known and
4 may be cited as the Cindy Yuille and Steve Forsyth Act.**

5 **“SECTION 2. As used in sections 2 to 6 of this 2021 Act:**

6 **“(1) ‘Authorized person’ means a person authorized by the owner
7 or possessor of a firearm to carry or control the firearm.**

8 **“(2)(a) ‘Container’ means a box, case, chest, locker, safe or other
9 similar receptacle, equipped with a tamper-resistant lock.**

10 **“(b) ‘Container’ does not include a building, room or vehicle, or a
11 space within a vehicle that has not been designed or modified specif-
12 ically for the purpose of securing a firearm.**

13 **“(3) ‘Control’ means, in relation to a firearm:**

14 **“(a) That a person is in sufficiently close proximity to the firearm
15 to prevent another person who is not an authorized person from ob-
16 taining the firearm; or**

17 **“(b) That a person is in the person’s residence with the firearm,
18 either alone or only with authorized persons who also live in the resi-
19 dence and who are not minors, and the doors and windows of the resi-
20 dence are closed and locked.**

21 **“(4) ‘Firearm’ has the meaning given that term in ORS 166.210, ex-**

1 **cept that it does not include a firearm that has been rendered perma-**
2 **nently inoperable.**

3 **“(5) ‘Gun room’ means an area within a building enclosed by walls,**
4 **a floor and a ceiling, including a closet, that has all entrances secured**
5 **by a tamper-resistant lock, that is kept locked at all times when un-**
6 **occupied and that is used for:**

7 **“(a) The storage of firearms, ammunition, components of firearms**
8 **or ammunition, or equipment for firearm-related activities including**
9 **but not limited to reloading ammunition, gunsmithing and firearm**
10 **cleaning and maintenance; or**

11 **“(b) Conducting firearm-related activities, including but not limited**
12 **to reloading ammunition, gunsmithing and firearm cleaning and**
13 **maintenance.**

14 **“(6) ‘Handgun’ has the meaning given that term in ORS 166.210.**

15 **“(7) ‘Law enforcement agency’ has the meaning given that term in**
16 **ORS 166.525.**

17 **“(8) ‘Minor’ means a person under 18 years of age.**

18 **“(9) ‘Transfer’ means the delivery of a firearm from a person to a**
19 **recipient, neither of whom is a gun dealer or is licensed as a man-**
20 **ufacturer or importer under 18 U.S.C. 923, including, but not limited**
21 **to, the sale, gift, loan or lease of the firearm.**

22 **“SECTION 3. (1)(a) A person who owns or possesses a firearm shall,**
23 **at all times that the firearm is not carried by or under the control of**
24 **the person or an authorized person, secure the firearm:**

25 **“(A) With an engaged trigger lock or cable lock that meets or ex-**
26 **ceeds the minimum specifications established by the Oregon Health**
27 **Authority under section 6 of this 2021 Act;**

28 **“(B) In a locked container that meets or exceeds the minimum**
29 **specifications established by the Oregon Health Authority under sec-**
30 **tion 6 of this 2021 Act; or**

1 “(C) In a gun room.

2 “(b) For purposes of paragraph (a) of this subsection, a firearm is
3 not secured if:

4 “(A) A key, combination or other means of opening a lock or con-
5 tainer is readily available to a person the owner or possessor has not
6 authorized to carry or control the firearm.

7 “(B) The firearm is a handgun, is left unattended in a vehicle and
8 is within view of persons outside the vehicle.

9 “(2)(a) A violation of subsection (1) of this section is a Class C vio-
10 lation.

11 “(b) Notwithstanding paragraph (a) of this subsection, a violation
12 of subsection (1) of this section is a Class A violation if a minor ob-
13 tains an unsecured firearm as a result of the violation and the owner
14 or possessor of the firearm knew or should have known that a minor
15 could gain unauthorized access to the unsecured firearm.

16 “(c) Each firearm owned or possessed in violation of subsection (1)
17 of this section constitutes a separate violation.

18 “(3) This section does not apply to a police officer as defined in ORS
19 181A.355, with respect to a particular firearm, if storage of the firearm
20 is covered by a policy of the law enforcement agency employing the
21 officer and the firearm is stored in compliance with the policy.

22 “SECTION 4. (1) If a person transfers a firearm and a criminal
23 background check under ORS 166.435 is required prior to the transfer,
24 the person shall transfer the firearm:

25 “(a) With an engaged trigger lock or cable lock that meets or ex-
26 ceeds the minimum specifications established by the Oregon Health
27 Authority under section 6 of this 2021 Act; or

28 “(b) In a locked container that meets or exceeds the minimum
29 specifications established by the Oregon Health Authority under sec-
30 tion 6 of this 2021 Act.

1 “(2)(a) A violation of subsection (1) of this section is a Class C vio-
2 lation.

3 “(b) Each firearm transferred in violation of subsection (1) of this
4 section constitutes a separate violation.

5 “(3) This section does not apply to:

6 “(a) The transfer of a firearm made inoperable for the specific
7 purpose of being used as a prop in the making of a motion picture or
8 a television, digital or similar production.

9 “(b) A transfer that occurs when a firearm is taken from the owner
10 or possessor of the firearm by force.

11 “SECTION 5. (1)(a) A person who owns, possesses or controls a
12 firearm shall report the loss or theft of the firearm to a law enforce-
13 ment agency in the jurisdiction in which the loss or theft occurred as
14 soon as practicable but not later than within 72 hours of the time the
15 person knew or reasonably should have known of the loss or theft.

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

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

22 “(2)(a) A violation of subsection (1) of this section is a Class B vio-
23 lation.

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

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

30 “(3)(a) Within 24 hours of receiving a report under subsection (1)

1 of this section, a law enforcement agency shall create a record con-
2 cerning the lost or stolen firearm in the Law Enforcement Data Sys-
3 tem or another electronic database as determined by the Department
4 of State Police.

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

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

11 **“SECTION 6.** No later than January 1, 2022, the Oregon Health
12 Authority, in consultation with the Department of State Police and
13 after considering any relevant standards in the Consumer Product
14 Safety Act (15 U.S.C. 2051 et seq.), shall adopt rules establishing the
15 minimum specifications for trigger locks, cable locks and containers
16 required by sections 3 and 4 of this 2021 Act.

17 **“SECTION 7.** A gun dealer shall post in a prominent location in the
18 gun dealer’s place of business a notice, in block letters not less than
19 one inch in height, that states, ‘The purchaser of a firearm has an
20 obligation to store firearms in a safe manner and to prevent unsuper-
21 vised access to a firearm by a minor. If a minor or unauthorized per-
22 son obtains access to a firearm and the owner failed to store the
23 firearm in a safe manner, the owner may be in violation of the law.’

24 **“SECTION 8.** (1) Sections 2 to 5 and 7 of this 2021 Act become op-
25 erative on January 1, 2022.

26 **“(2)** The Oregon Health Authority may take any action before the
27 operative date specified in subsection (1) of this section that is neces-
28 sary to enable the authority to exercise, on and after the operative
29 date specified in subsection (1) of this section, all of the duties, func-
30 tions and powers conferred on the authority by sections 2 to 6 of this

1 **2021 Act.**

2 **“SECTION 9. This 2021 Act being necessary for the immediate**
3 **preservation of the public peace, health and safety, an emergency is**
4 **declared to exist, and this 2021 Act takes effect on its passage.”.**

5
