

SB 348 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Adrienne Anderson, LPRO Analyst

Meeting Dates: 3/27, 3/27, 3/30

WHAT THE MEASURE DOES:

Directs the Department of Justice to study ways to address unlawful possession of firearms and submit that study to the Legislative Assembly no later than December 31, 2024.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces the bill. Provides that a permit to purchase a firearm is not required until July 1, 2024. Provides that a permit to purchase a .22 caliber rimfire ammunition; a muzzleloader rifle; or a shotgun with a pump, break, level, revolving action, and the other firearms listed in ORS 166.250(2)(b) is not required until July 1, 2026. Provides that a person may apply for a permit to purchase a firearm if: the person is at least 21 years of age, is not otherwise prohibited from purchasing or possessing a firearm under state or federal law, has not, within the previous four years, been convicted or found guilty except for insanity of a misdemeanor involving violence as defined in ORS 166.470, and successfully completes a background check and training course. Provides that a permit agent may deny an application for a permit if has reasonable grounds to conclude that the applicant has been or is reasonably likely to be a danger to self or others, or to the community at large, and that this investigation must be based on objective facts and information known by, or records available to, the permit agent that establish a pattern of behavior involving unlawful violence or threats of unlawful violence sufficient to clearly establish that the applicant has been or is reasonably likely to be a danger to self or others. Exempts from disclosure as a public record the record of information obtained during the permit application process. Raises the fee for an initial permit to \$150 and a renewal permit to \$110. Expands proof of completion of the required training course to include: prior or current certification as a state, federal, or tribal police officer, corrections officers, or armed parole and probation officer; proof of qualification with a pistol, rifle, or other small arms while serving in the Armed Forces as documented on a federal DD Form 214, if the qualification occurred in the last 10 years; or current certification as an armed private security professional. Increases the number of days the permit agent must approve or deny the permit application to 60 days. Requires a 72 hour wait period between the purchase of a firearm and the transfer of a firearm from a gun dealer. Requires the Department of State Police (OSP) to file an annual report, for each county, documenting the racial and gender information concerning each applicant within the total number of permits granted, denied, and the reason for the denial, without including any information that personally identifies an applicant. Declares emergency.

BACKGROUND:

In November 2022, Oregon voters passed Ballot Measure 114, which required anyone purchasing a firearm to take a gun safety training course and obtain a permit. It also banned large capacity magazines holding more than ten rounds and closed the "Charleston loophole," which allowed firearm transfers to go forward if the background check had not been completed after three days. A federal court case and state court case are currently pending in the courts and blocking various provisions of the measure from taking effect.

Senate bill 348 directs the Department of Justice to study ways to address unlawful possession of firearms.