

**HB 3513 STAFF MEASURE SUMMARY**

**House Committee On Judiciary**

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**Prepared By:** Adrienne Anderson, LPRO Analyst

**Meeting Dates:** 3/28, 4/3

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**WHAT THE MEASURE DOES:**

Defines a "firearm hold agreement" as a private transaction between a federal firearms licensee (FFL) or other person and an individual firearm owner in which the licensee or other person takes physical possession of the owner's lawfully possessed firearm at the owner's request, holds the firearm for an agreed-upon period of time and returns the firearm to the owner according to the terms of the agreement. Provides that an FFL or any other person who may lawfully possess firearms may enter into a firearm hold agreement with a firearm owner and no payment can be required. Provides that an FFL or other person who takes physical possession of a firearm pursuant to a firearm hold agreement is immune from civil liability from take possession of the firearm, storing the firearm or returning the firearm to the owner; however that immunity does not apply to a civil action based upon the FFL or other person's unlawful conduct. Requires the Oregon Health Authority to develop a rule to create a grant program to fund storage of firearms pursuant to firearm hold agreements. Provides that an FFL or other person who intends to store a firearm pursuant to a firearm hold agreement may apply for grand funds. Appropriates money to OHA for the biennium beginning July 1, 2023 out of the general fund. Requires concealed handgun license applicants to complete a firearms safety course that includes information about the use of firearm hold agreement for firearm suicide prevention.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

Under current law, ORS 166.435 covers firearm transfers by unlicensed persons. A transfer means the delivery of a firearm from a transferor to a transferee, including, but not limited to, the sale, gift, loan or lease of the firearm. A transfer does not include the temporary provision of a firearm to a transferee if the transferor has no reason to believe the transferee is prohibited from possessing a firearm or intends to use the firearm in the commission of a crime, and the provision occurs: for the purpose of preventing imminent death or serious physical injury, and the provision lasts only as long as is necessary to prevent the death or serious physical injury.

Senate Bill 3513 allows an FFL or any person who may lawfully possess firearms may enter into a firearm hold agreement with a firearm owner for an agreed-upon duration.