

SB 527 STAFF MEASURE SUMMARY

Carrier: Sen. Manning Jr, Sen. Dembrow

Senate Committee On Judiciary

Action Date: 04/03/23
Action: Do pass.
Vote: 3-2-0-0
Yeas: 3 - Gelser Blouin, Manning Jr, Prozanski
Nays: 2 - Linthicum, Thatcher
Fiscal: No fiscal impact
Revenue: No revenue impact
Prepared By: Adrienne Anderson, LPRO Analyst
Meeting Dates: 3/27, 4/3

WHAT THE MEASURE DOES:

Permits a gun dealer or a person at a gun show to establish a minimum age of 21 years for the purchase of firearms, firearm accessories, ammunition, or ammunition components or for the repair or service of a firearm. Provides that the anti-discrimination law (ORS 659A.403) does not prohibit a gun dealer, a person at a gun show, or a business that fixes firearms from setting the minimum age to purchase a firearm, firearm accessories, ammunition, or ammunition components to 21. Provides that the modifications to the anti-discrimination law apply to causes of action before or after the effective date of the Act, unless a final judgment has been entered before the effective date of the Act.

ISSUES DISCUSSED:

- Gun dealers and retailers may establish a different minimum age, but will not be required to
- Current state of the laws relating to age minimums

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 2018, Walmart, Dick's Sporting Goods, and Bi-Mart changed their firearms policy, raising the minimum age to buy any firearm from 18 to 21. Federal and state law ban firearm retailers from selling handguns to those under the age of 21, but not rifles and shotguns. In 2021, the Court of Appeals decided in *Dalbeck vs. Bi-Mart Corporation* that Oregon's anti-discrimination law prohibits age discrimination against anyone 18 and older--except in instances explicitly allowed under separate laws. In 2021, Walmart announced that it would stop selling firearms and ammunition in Oregon.

Senate Bill 527 creates an exception to the anti-discrimination law and permits a gun dealer to raise the minimum age for purchasing a firearm to 21 and provides that the exception applies to causes of action before or after the effective date of the Act, unless a final judgment has been entered before the effective date of the Act.