

Submitter: John SCHARF
On Behalf Of: Citizens without immunity A
Committee: House Committee On Judiciary
Measure: HB2007

House Bill 2007 unconstitutionally denies the equal right to the protection self-defense and uses the unconstitutionally vague terms, "adjacent grounds" and "school grounds."

House Bill 2007, Sponsored by Representatives REYNOLDS, GRAYBER, EVANS, KROPF, Senator MANNING JR; Senators FREDERICK, SOLLMAN states:

Be It Enacted by the People of the State of Oregon:

SECTION 4. ORS 166.262 is amended to read:

166.262. A peace officer may not arrest or charge a person for violating ORS 166.250 (1)(a) or

(b) or 166.370 (1)(a) if the person has in the person's immediate possession:

(1) A valid license to carry a firearm as provided in ORS 166.291 and 166.292, unless the person

possesses a firearm within the Capitol, within the passenger terminal of a commercial service airport with over one million passenger boardings per year or within a building or adjacent grounds

or on school grounds subject to a policy described in ORS 166.377;

(2) Proof that the person is a law enforcement officer; or

(3) Proof that the person is an honorably retired law enforcement officer, unless the person has

been convicted of an offense that would make the person ineligible to obtain a concealed handgun

license under ORS 166.291 and 166.292.

UNCONSTITUTIONAL DENIAL OF EQUAL RIGHT OF THE PROTECTION OF SELF-DEFENSE:

The nation's historic tradition of firearms regulation did not prohibit possession for self-defense in the capital or public places.

Such a prohibition violates the inalienable natural right to self-defense of the innocent, public safety, and national security.

Other than prohibiting hunting in public places from the birth of the oldest member of the Congress of the 1791 Bill of Rights to the death of the last.

New York State Rifle & Pistol Association, Inc. v. Bruen

"The constitutional right to bear arms in public for self-defense is not 'a second-class right, subject to an entirely different body of rules than the other Bill of Rights guarantees. We know of no other constitutional right that an individual may exercise only after demonstrating to government officers some special need... When the Second Amendment's plain text covers an individual's conduct [here the right to bear

arms], the Constitution presumptively protects that conduct. The government must then justify its regulation by demonstrating that it is consistent with the Nation's historical tradition of firearm regulation. Only then may a court conclude that the individual's conduct falls outside the Second Amendment's 'unqualified command.'"

That holding by the Supreme Court made clear the scope of the holdings in *Heller* and *McDonald* have a higher standard of "justification of text and history" of the Bill of Rights required rather than being "substantially related to the achievement of an important governmental interest."