

To: Oregon House Judiciary Committee

Date: March 17, 2025

Re: In SUPPORT of HB 3075-1

Chair Kropf, Vice Chairs Chotzen and Wallan and other members of the committee,

On behalf of Lift Every Voice Oregon, I submit this testimony in support of HB 3075-1. We urge you to pass this bill out of the Committee and recommend it's passage by the full House.

For the past 8 years I have served as a volunteer with Lift Every Voice Oregon (LEVO), primarily as Co-Chair of the Legislative Committee.

Since 2021, I have worked on every part of the process that resulted in Measure 114, from drafting, collecting signatures, seeing it become the law and, also seeing the challenges to impede its implementation.

HB 3075-1, which proposes some amendments to Measure 114, came about as a result of significant effort by gun safety groups, law enforcement and others. The discussions in 2023 regarding SB 348 identified some areas that would benefit from clarifying language. Though there was certainly no total consensus, the process was valuable. The discussions preceding this session that lead to HB 3075-1 resulted in a bill that has the most practical and common-sense modifications to Measure 114 without interfering with the core goals of the initiative. LEVO participated and supported the process of smoothing the path to implement Measure 114, but throughout we maintained the clear goal of ensuring that the voters' intent was preserved. That intent was to reduce gun violence through adopting of two evidence-based effective steps, requiring a permit to purchase a gun and restrictions sale and use of large-capacity magazines. The bill before this Committee does preserve the voters' intent while providing some useful clarifications and technical changes that will make implementation smoother for law enforcement and others.

These modifications do represent a collaborative of many parties who will be involved in the implementation. And, that statement applies to some extent to those who do not support Measure 114. And, at least some directly address concerns raised by those during the campaign and since who opposed Measure 114.

I think it is worth addressing a few of the key provisions to illustrate how they are of benefit to a broad coalition.

The key amendments in HB 3075-1 provide for the following procedures:

1. Clarify that information obtained as part of the permit process will not be subject to public records requests. Measure 114 clearly applied that rule to background checks, but the change makes sure permit application information is also covered. This exemption already applies to Concealed Handgun License (CHL) application information. I believe there is complete consensus on this provision, even among those who oppose Measure 114.
2. Provide that permit applicants are entered into the Law Enforcement Data System (LEDS), just as CHL applicants are. This will facilitate more efficient coordination with other agencies and promote safety.
3. Provide greater specificity for information included in the annual reports regarding denials of permits to purchase. Measure 114 required reports to ensure there is equitable and consistent administration of the process. The proposed amendment ensures the reports will include overall demographic analysis to identify any unlawful inconsistencies in granting applications. If a concern arises, the State will have important data to facilitate addressing the conduct.
4. Clarify that a resident of an incorporated area may apply for a permit to either the city police department or the county sheriff. This is not a change in the expected result under Measure 114, but it's easier for a lay person to interpret.
5. Add more precise language, as requested by the FBI, to limit which agencies have access to the FBI database and the information retrieved from it when used for background checks.
6. Remove ambiguities in order to make clear that persons who manufactured, transferred, purchased or used large-capacity magazines, while a court injunction was in place, are not in violation of the statute. It also provides that manufacturers and dealers will have the 180-day grace period, provided in Measure 114, to wind down existing contracts or transfer their inventory out of state, once the court stay is lifted. This is logical and reduces confusion for law enforcement, the courts and the owners of large-capacity magazines, even those who oppose Measure 114.
7. Provide clear time lines for implementation of the three life-saving provisions of the Measure 114.
 - a. Immediately eliminate the Charleston Loophole, which allows a gun to be handed to a purchaser even if the background check has not been completed. Measure 114 already provides for abolishing this loophole. HB 3075-1 separates this provision from the permitting process, so the

Charleston loophole can be implemented immediately, assuming a court stay has been lifted.

- b. Immediately implement the restrictions related to large-capacity magazines so they will go into effect upon passage of this amendment, unless a court's stay is still in place.
- c. Implementation of the third provision of Measure 114, the permit to purchase requirement, however, implementation will be delayed under HB 3075-1 until July 1, 2026. LEVO and other organizations urged that this amendment make the effective date sooner. This seems particularly prudent in light of the recent Court of Appeals ruling. Nevertheless, we are appreciative of the efforts of the State Police and local law enforcement agencies moving forward to finalize the processes and the need to ensure availability of equipment capable of processing the permits efficiently. We urge the Legislature to provide necessary funding. Therefore, while immediate implementation is most consistent with the voters' intent, and our goals, having a **firm** deadline is better than **no** deadline.

There are a few other amendments that make minor typographical corrections which we believe are indicated. Legislative action to make those types of clarifications is common and more often necessary when the law emerged through the initiative process. Unlike a bill working its way through the legislature, the language of an initiative cannot be changed once the signature gathering has begun, without the petitioners starting over from the beginning with the entire ballot title process.

In conclusion, on behalf of Lift Every Voice Oregon and so many other exceptional gun safety partner organizations, including the Alliance for Safe Oregon, Mom's Demand Action, Giffords, and others we want to thank the State Police, the Sheriffs Association, the Justice Department and certainly the Committee Members for moving this bill forward to ensure smooth and rapid implementation of the life-saving provisions of Measure 114. It's time to reduce gun violence and make Oregon a safer place.

Respectfully submitted,

Elizabeth McKanna
Legislative Co-Chair
Lift Every Voice Oregon

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