Submitter:	Andrew Hall
On Behalf Of:	
Committee:	Senate Committee On Judiciary
Measure, Appointment or Topic:	SB243

Honored Senators,

I oppose Senate Bill 243 because its restrictive provisions are unconstitutional and likely to be overturned in court, wasting Oregon's resources on doomed litigation. The bill's 72-hour waiting period, ban on rapid fire activators, age restrictions, and public carry limits violate Second Amendment rights, clashing with U.S. Supreme Court precedent—particularly regarding rapid fire activators—and inviting costly legal challenges.

The ban on rapid fire activators (e.g., bump stocks, binary triggers) under Section 2 directly contradicts the Supreme Court's ruling in Garland v. Cargill (2024). In Cargill, the Court held that bump stocks do not convert semiautomatic firearms into machine guns under federal law, as they require separate trigger pulls per shot, affirming their legality under the Second Amendment. SB 243's classification of these devices as felonious ignores this precedent, infringing on the right to bear arms for lawful purposes like self-defense. Courts will likely strike this down, as it fails the Bruen (2022) test, which requires restrictions to align with historical firearm regulation traditions—none of which banned such accessories.

The 72-hour waiting period (ORS 166.412) and age hike to 21 (ORS 166.250, 166.470) also falter under Bruen. No historical analogue exists for delaying firearm purchases or barring adults aged 18-20 from possessing common arms, a group long recognized as part of "the people" protected by the Second Amendment. Heller (2008) affirmed the right to immediate access for self-defense, and lower courts have already invalidated similar age-based bans (e.g., Jones v. Bonta, 9th Cir. 2022). These provisions will collapse under scrutiny, forcing Oregon to spend millions defending them.

Public area restrictions (ORS 166.360-166.377) further erode concealed carry rights, defying Bruen's mandate that restrictions must reflect historical norms. Blanket bans in "public buildings" lack Founding-era precedent, and empowering local entities to nullify concealed carry licenses undermines the individual right upheld in Heller and McDonald (2010). Federal courts have struck down similar "sensitive places" expansions (e.g., Antonyuk v. Chiumento, 2d Cir. 2023), signaling SB 243's vulnerability.

Oregon will squander taxpayer dollars on legal battles it cannot win. The state's defense of Measure 114, a similar firearm law, has already cost over $2 million in

attorney fees, with injunctions pending appeal. SB 243’s broader scope invites even pricier litigation, likely ending in injunctions and reversals. Rather than enact this unconstitutional overreach, lawmakers should respect Supreme Court precedent and avoid burdening citizens with a law destined for the judicial scrapheap.

Thank you,
Andrew Hall