

Submitter: Larry Mark Gunter  
On Behalf Of:  
Committee: Senate Committee On Judiciary  
Measure, Appointment or Topic: SB243

March 26th, 2025

I oppose Senate Bill 243-1, which defies the legislature's duty under the Oregon Constitution, Article I, Section 1: "All power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety, and happiness..." The legislature must protect, not undermine, rights under Article I, Section 27 and the Second Amendment. SB 243-1 will fail constitutionally, even if enacted.

1. 72-Hour Waiting Period (ORS 166.412)

The 72-hour delay violates Article I, Section 27 ("The people shall have the right to bear arms for the defense of themselves") and the Second Amendment ("shall not be infringed") by blocking immediate self-defense, and breaches the Fourteenth Amendment and Article I, Section 10 ("No person shall be deprived of... property, without due process of law") without a hearing.

2. Ban on Rapid Fire Activators (Section 2)

Banning these devices infringes Article I, Section 27 and the Second Amendment by restricting common defensive tools and violates the Fourteenth Amendment due process with vague wording.

3. Age Restriction to 21 (ORS 166.250, 166.470)

Raising the age to 21 breaches Article I, Section 27 and the Second Amendment by denying adults their rights, and the Fourteenth Amendment and Article I, Section 20 ("No law shall be passed granting... privileges... not equally belong[ing] to all citizens") through arbitrary discrimination.

4. Public Area Restrictions (ORS 166.370, 166.377)

Local concealed carry bans violate Article I, Section 27 and the Second Amendment by limiting public self-defense, and Article I, Section 18 ("Private property shall not be taken... without just compensation") by mandating uncompensated university restrictions.

SB 243-1 contravenes Article I, Sections 1, 10, 20, 27, and 18, the Second Amendment, and the Fourteenth Amendment. Historical case precedents ensure its judicial demise. The legislature must uphold the people's rights, not erode them—I urge rejection.

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