

Submitter: Michael Getty  
On Behalf Of: 18-20 Year Olds  
Committee: Senate Committee On Judiciary  
Measure, Appointment or Topic: SB243  
Re: SB 243-1 (2025) OPPOSE

First of all, 18-20 year olds are citizens of the United States of America, and residents of Oregon. Therefore, the United States Constitution and laws takes precedent over the Oregon Constitution. All Oregon legislation must comply constitutionally with the Federal Constitution and the laws thereof. SB 243-1 does not comply. United States Constitution Article XIV: "No State shall make or enforce any law which shall abridge the privileges of citizens of the United States..." The key word is "State."

The Federal Second Amendment is the law of the land.

Federal Preemption: In the law of the United States, federal preemption is the invalidation of a U.S. state law that conflicts with Federal law. The United States Supreme Court in *Altria Group v. Good*, 555 U.S. 70 (2008), a federal law that conflicts with a state law will trump, or preempt, that state law. In *Maryland v. Louisiana*, 451 U.S. 725), "...state laws that conflict with federal law are "without effect."

In January 2025, the 5th US Circuit Court of Appeals ruled that a handgun ban for 18-20 year olds was unconstitutional. Judge Edith stated that "Ultimately, the text of the Second Amendment includes eighteen-to-twenty-year-old individuals among the people whose right to keep and bear arms is protected." Subsequent appeals to that decision will ultimately fail and the decision will prevail.

Ages 18-20 are adults and are citizens of the United States. SB 243-1 allows discrimination to deny legal adults in the age group of 18 through 20 of their adult federal and state constitutional rights, not because of their character, criminal history, mental health or illicit drug use, but simply because of their age. The vast majority of that age group are responsible residents of Oregon.

If the age group of 18-20 year olds are thought to be so irresponsible to own any legal firearm and if Oregon is going to treat the age group of 18-20 year olds as children ("minors"), then should Oregon consider increasing the age for a driver's license, prohibit them from joining the military, running for any elective office, fighting fires, law enforcement, gamble (play the lottery) and vote until they reach the age of 21? Why stop there! Why not include that age group into existing child labor laws and severely restrict their ability to have a decent full-time paying job until they are 21.

I find it irresponsibly unethical and alarming that an 18-20 year old adult can serve his or her country in the military and sent overseas to kill people or die, yet has his or her right denied to purchase any legal firearm and related items. That, in itself, is morally incomprehensible.

In Defense of 18-20 Year-Olds

“Politics is the art of looking for trouble, finding it, misdiagnosing it, and then misapplying the wrong remedies.” – Groucho Marx