

Submitter: Anthony miller

On Behalf Of:

Committee: House Committee On Judiciary

Measure, Appointment or Topic: HB3075

The bill retroactively criminalizes possession of standard capacity magazines legally purchased

prior to its enactment. This violates Article I, Section 10 of the U.S. Constitution and Article I, Section 21 of the Oregon Constitution, both of which prohibit ex post facto laws-- laws that punish actions lawful when committed. Courts have consistently struck down similar retroactive firearm restrictions.

HB 3075's extended waiting periods, heightened fees, and discretionary permitting process--allowing law enforcement to deny permits based on subjective judgments of "dangerousness"-- lack clear historical analogs. These restrictions unduly burden the right to keep and bear arms for law-abiding citizens, likely failing the Bruen test.