

Submitter: Kyle Damgaard

On Behalf Of:

Committee: House Committee On Judiciary

Measure, Appointment or Topic: HB3075

1. HB 3075 violates both the US constitution and Oregon's own constitution, by allowing law enforcement to restrict firearm purchase on the vague, subjective "Dangerousness" of an individual. The "dangerousness" of an individual is completely subject to the officer's possible biased or prejudiced views. It is entirely possible for an officer who has racial biases to deny based on skin color, just by saying "This person may be dangerous" and reject their application
2. HB 3075 violates Article 1, Section 10 of the US constitution, as well as Article 1, Section 21 of the Oregon Constitution. Both of these cited Articles and Sections prohibit ex post facto laws. HB 3075 would become an ex post facto law by criminalizing Oregonians who purchased magazines over 10 rounds after December of 2022, despite the law not being in place yet.
3. As mentioned before, the bill will cause issues from the 5th and 14th amendment, as there is no clear guideline or fair processes. This makes HB 3075 vulnerable to due process challenges
4. Requiring a fee to practice a constitutional right will negatively impact low income communities and minority communities by extremely raising the filing fee, which will in turn make obtaining a firearm more difficult for low income people and communities