

Impact Statement: Oregon House Bill 3075 - Disproportionate Burdens and Infringement on Fundamental Rights

Oregon House Bill 3075, while presented as a refinement of Ballot Measure 114, introduces significant changes to the state's firearm regulations, particularly regarding permitting and training requirements. This impact statement focuses on the potential negative consequences of these changes, specifically how they will disproportionately burden marginalized demographics and individuals with low incomes, effectively limiting their access to a fundamental right.

Financial Barriers and Disproportionate Impact: HB 3075 proposes substantial increases in fees associated with firearm permit applications and renewals. These increased costs create a significant financial barrier, particularly for low-income individuals and families. The right to self-defense should not be contingent upon one's

economic status. By escalating the financial burden, the bill effectively creates a two-tiered system where only those with sufficient financial resources can exercise their Second Amendment rights.

- **Increased Application and Renewal Fees:** The proposed increase in permit application and renewal fees translates to a direct financial strain on individuals. For those living paycheck to paycheck, these additional costs can be prohibitive, forcing them to choose between exercising their right to self-defense and meeting basic needs like food, housing, or healthcare. This disproportionately affects those already struggling with financial instability.
- **Training Costs:** The bill, while offering alternatives to traditional training courses, still mandates some form of training. These training requirements, whether through formal courses or alternative methods, invariably incur costs. This could include fees for instructors, materials, range time, or even transportation to training locations. For

those in rural areas, travel to training facilities can add a significant burden. Low-income individuals, particularly those living in remote areas, will face significant hurdles in meeting these requirements.

- **Marginalized Demographics:** The impact of these increased costs will be felt most acutely by marginalized demographics, including racial minorities, those living in poverty, and individuals with disabilities. These groups often face systemic barriers to economic opportunity and may have limited access to financial resources. The added financial burden of firearm permitting and training will further exacerbate existing inequalities.
- **Rural Communities:** Residents of rural Oregon often rely on firearms for self-defense, hunting, and agricultural purposes. The increased costs associated with HB 3075 will disproportionately impact these communities, where incomes may be lower and access to training facilities more limited. This could lead to a decline in

firearm ownership among rural residents, potentially leaving them more vulnerable.

- **Effect on Women:** Women, particularly those in vulnerable situations, often rely on firearms for self-defense. The financial barriers imposed by HB 3075 could limit their ability to protect themselves, placing them at increased risk. This is particularly concerning for women living in abusive relationships or in areas with high crime rates.

Infringement on Fundamental Rights:

The Second Amendment of the United States Constitution guarantees the right to keep and bear arms. By imposing excessive financial burdens and procedural hurdles, HB 3075 effectively infringes upon this fundamental right.

- **"Poll Tax" on Second Amendment Rights:**
The increased fees and training costs create a de facto "poll tax" on Second Amendment rights. This is reminiscent of historical attempts to disenfranchise marginalized groups by imposing financial barriers to voting. Just as poll taxes were deemed

unconstitutional, the financial burdens imposed by HB 3075 should be seen as an infringement on the right to keep and bear arms.

- **Undue Burden:** The combined effect of increased fees, training requirements, and procedural complexities creates an undue burden on law-abiding citizens. This burden is particularly heavy for those with limited resources and those living in rural areas. The right to self-defense should not be subject to such onerous requirements.
- **Erosion of Trust:** The implementation of HB 3075 could erode trust between law enforcement and communities, particularly marginalized communities. When individuals feel that their rights are being infringed upon, they are less likely to cooperate with law enforcement and more likely to feel alienated from the system.
- **Limiting access to self defense:** The bill delays permit requirements for firearm transfers until July 1, 2026. This delay combined with the increased costs, and the

added requirements can place people in dangerous situations. Self defense is time sensitive. Any delays, or hindrances, can mean the difference between life and death.

Procedural and Logistical Challenges:

Beyond the financial implications, HB 3075 introduces procedural and logistical challenges that will further limit access to firearm ownership.

- **Extended Processing Times:** The bill extends the time for permit agents to process applications. While intended to ensure thoroughness, this could lead to significant delays, leaving individuals without the means to protect themselves for extended periods. This is particularly concerning for those facing immediate threats.
- **Confidentiality Concerns:** While the bill addresses the confidentiality of information obtained during the application process, there are still concerns about potential breaches of privacy. The collection and storage of sensitive personal information raise concerns about potential misuse or

unauthorized access.

- **Limited Access to Training:** Access to qualified firearm instructors and training facilities may be limited in some areas, particularly rural communities. This could create a bottleneck in the permitting process, further delaying access to firearms.
- **Legal Challenges:** The designation that legal challenges must be commenced in the Circuit Court for Marion County limits the ability for many to challenge the law. This creates an unfair advantage to the state, and limits the ability of citizens to exercise their rights.

Conclusion:

Oregon House Bill 3075, while presented as a measure to enhance public safety, will have a disproportionately negative impact on marginalized demographics and individuals with low incomes. The increased costs, procedural hurdles, and logistical challenges imposed by the bill will effectively limit their access to a fundamental right. This impact statement highlights the potential consequences of HB

3075 and calls for a reassessment of its provisions to ensure that the right to self-defense is not contingent upon economic status or geographic location. It is imperative that any legislation aimed at regulating firearms strikes a balance between public safety and the protection of fundamental rights, ensuring that all citizens have equal access to the means of self-defense. The financial burden and limiting of legal challenges creates a system that is not equal, and will further divide the citizens of Oregon.