

Submitter: Blaine McElwee  
On Behalf Of:  
Committee: House Committee On Judiciary  
Measure, Appointment or Topic: HB4145

## TESTIMONY AGAINST HOUSE BILL 4145

Chair and Members of the Committee:

I am opposed to HB 4145 because it represents a dramatic and unjustified expansion of government authority over the constitutional right to keep and bear arms — and because it subverts the will of Oregon voters while erecting new barriers and inequalities in our law.

### 1. This Bill Disrespects Voter Will

Ballot Measure 114 (2022) was approved by Oregon voters. HB 4145 seeks to rewrite that measure in the legislature without returning to the electorate. This is not mere technical clarification — it is a fundamental alteration of voter-approved law. The legitimacy of citizen initiatives depends on the legislature honoring what voters decide, not overturning it by the back door.

### 2. HB 4145 Imposes New Barriers on Law-Abiding Oregonians

The bill would double the time allowed for permit processing from 30 days to 60 days, creating longer waiting times that burden ordinary citizens seeking to exercise lawful rights. It also more than doubles fees for initial and renewal permits, making legal compliance significantly more costly — a de facto tax on lawful behavior that hits low-income residents disproportionately.

### 3. The Bill Creates Unequal Treatment Under the Law

HB 4145 carves out broad exemptions for active and retired law enforcement from key restrictions, including on large-capacity magazines — even for off-duty or personal use. Meanwhile, everyday civilians remain subject to strict prohibitions. This creates a two-tiered system of rights that violates the principle of equal protection and Oregon's constitutional guarantee that all privileges and immunities belong equally to all citizens.

### 4. Permitting Process is Subjective, Not Objective

By giving authorities discretionary power to deny permits without clear, objective standards, the bill opens the door to arbitrary enforcement or bias based on politics, viewpoints, race, or personal associations. Such subjectivity is antithetical to fairness in law and risks eroding trust in government.

### 5. Restricting Legal Challenges is Unfair

HB 4145 forces anyone who wishes to challenge the law in court to file their lawsuit only in Marion County, regardless of where they live. This is a procedural burden that undermines the ability of citizens to access justice and challenges the practical fairness of the process.

#### Conclusion

Rather than fixing problems, HB 4145 deepens divisions, imposes new financial and bureaucratic burdens, and treats citizens unequally. Oregon should be improving fairness and transparency in law, not expanding government overreach and undermining constitutional rights. I urge you to oppose HB 4145 and respect both the letter and spirit of the law and the will of the voters.

Thank you.