

Chair and Members of the Committee:

Thank you for the opportunity to submit testimony in opposition to HB 4145.

I oppose HB 4145 because it would legally entrench a regulatory scheme that is constitutionally dubious, procedurally suspect, and harmful to the rights and public safety of Oregonians — all while conferring special privileges on a narrow class of citizens and imposing significant burdens and costs on ordinary law-abiding firearm owners without credible evidence that these burdens improve safety outcomes.

HB 4145 Undermines Fundamental Rights Protected by the Oregon Constitution

- The Oregon Constitution explicitly protects the right to keep and bear arms as an inherent civil right. Any statute that imposes substantial barriers to acquisition or possession must be justified by compelling evidence and must narrowly tailor restrictions to legitimate public safety goals.
- By doubling the permit processing timeline (from 30 to 60 days) and raising the fee from \$65 to \$150, HB 4145 imposes a disproportionate and potentially prohibitive cost and delay on citizens seeking to exercise their constitutional rights. These are not minor administrative tweaks — they are real barriers to lawful firearm acquisition.
- Permitting delays of this length effectively function as waiting periods longer than any widely accepted standard and result in de facto denial for individuals who cannot wait. The legislature should not erect barriers that transform a right into a difficult or expensive privilege without overwhelming evidence of effectiveness.

HB 4145 Effectively Nullifies Voter Intent by Rewriting Measure 114 Without New Consent

- Measure 114 was very narrowly passed by a slim margin in 2022. Its language and provisions reflect the specific policy choices regarding permit fees, timelines, and scope.
- HB 4145 rewrites these provisions in ways that were never presented to voters — increasing fees, lengthening permit processing times, and layering in exemptions that dilute the law's ostensible purpose. By doing so, the legislature is not honoring intent; it is substituting its own policy preferences. This subversion of the ballot initiative process undermines democratic legitimacy.

HB 4145 Creates Unequal Application of Law and Grants Special Privileges

- The bill provides exemptions for active and retired law enforcement from permit requirements and magazine capacity limits.
- A policy that imposes strict limits on ordinary citizens while exempting a specific class of retirees and former officers raises serious equal protection concerns under Article I, section 20 of the Oregon Constitution (“Equality of privileges and immunities of citizens”). Laws must apply equally unless differences are necessary and justified — this exemption is neither. It establishes a two-tiered system of rights: one for certain government employees and another for everyone else.

HB 4145’s Administrative Burdens Lack Clear Public Safety Justification

- The reported doubling of the permit decision window and fee increase have no established causal link to enhanced public safety. No credible evidence has been presented showing that these additional delays or costs will measurably reduce violent crime or firearm misuse.
- Instead, they disproportionately burden rural Oregonians, low-income residents, and those who depend on self-defense for personal safety — exactly the populations that can least afford extended delays and high fees.

Enforcement Complexity and Legal Risk Burden Counties and Individuals

- HB 4145 would impose a complex permit system on county sheriffs and state police that would require significant administrative resources without corresponding legislative funding. This strains local governments and potentially diverts limited law enforcement resources from core public safety duties.
- If implemented during ongoing judicial challenges to Measure 114’s constitutionality in state and federal courts, HB 4145 could prematurely lock in a framework that may later be struck down, creating legal chaos and uncertainty for courts, law enforcement, and citizens alike.

HB 4145 Risks Eroding Trust in Government and Rule of Law

- Forcing through a contentious bill with an “emergency clause” — making it take effect immediately upon signature — risks circumventing meaningful public scrutiny and public accountability. The public legitimately questions whether major changes to fundamental rights deserve a measured, transparent process, not rushed statute enactment with automatic enforcement.
- A democratic legislature should not leverage procedural devices to undercut citizen engagement or judicial review.

Conclusion and Recommendation

HB 4145 represents a radical restructuring of voter-approved policy that:

- imposes unequal burdens on ordinary citizens,
- elevates government privilege for a select class,
- lacks evidence of improving public safety, and
- threatens constitutional rights, not preserves them.

For these reasons, I strongly urge the committee to reject HB 4145 in its entirety and instead convene a balanced, evidence-driven conversation about public safety solutions that respect constitutional rights, equal protection, and democratic legitimacy.