

Written Testimony in Opposition to HB 4145

To: House Committee on Judiciary

From: Caleb White, Newberg, Oregon

Date: February 4, 2026

Re: Opposition to HB 4145 — Modifications to Ballot Measure 114 and Related Firearms Provisions

Chair and Members of the Committee,

My name is Caleb White. I am an Oregon resident and gun owner writing to express my strong opposition to HB 4145. While this bill is presented as a set of practical modifications to Ballot Measure 114, it is in reality a significant expansion of the regulatory burdens placed on law-abiding Oregonians seeking to exercise their constitutionally protected right to keep and bear arms. I urge this committee to reject HB 4145 in its entirety.

The permit-to-purchase system remains an unconstitutional barrier to a fundamental right. Rather than repealing or meaningfully reforming the deeply flawed permitting scheme created by Ballot Measure 114, HB 4145 doubles down on it. The bill extends the permitting timeline from 30 to 60 days, meaning Oregonians could wait two full months just to receive permission to purchase a firearm. No other constitutionally enumerated right is subject to a government-issued permit with a 60-day waiting period. This delay is not a minor inconvenience — it could leave a person who urgently needs a firearm for self-defense completely unable to acquire one for months. The bill also more than doubles the maximum application fee from \$65 to \$150, and increases the renewal fee from \$50 to \$110. These costs function as a financial barrier that disproportionately burdens lower-income Oregonians, effectively making the exercise of a constitutional right contingent on the ability to pay what amounts to a tax on self-defense.

The large-capacity magazine provisions remain unworkable and unjust. HB 4145 continues to criminalize the possession, sale, and transfer of standard-capacity magazines that hold more than ten rounds — magazines that are included with the vast majority of modern handguns and rifles sold in the United States. While the bill offers a narrow affirmative defense for those who owned such magazines prior to December 8, 2022, the burden of proving that defense falls on the citizen, not the state. Moreover, the restrictions on how and where those grandfathered magazines may be transported and used are so cumbersome as to discourage their lawful use entirely. The ten-round limit is an arbitrary threshold that has no demonstrated connection to reducing violent crime, yet it criminalizes the conduct of millions of responsible gun owners nationwide and hundreds of thousands here in Oregon.

The emergency clause and venue restriction undermine democratic accountability. HB 4145 includes an emergency clause that would make the law effective immediately upon the Governor's signature, bypassing the standard 90-day period during which citizens could organize a referendum. This is a clear attempt to insulate the bill from the will of the voters. Additionally, the bill mandates that any legal challenge to its provisions must be filed

exclusively in Marion County Circuit Court — a transparent effort to forum-shop for a more favorable judicial venue rather than allowing challenges to be heard in the communities most directly affected by the law. These provisions signal that the bill's sponsors are not confident their legislation can withstand either public scrutiny or constitutional review.

The law enforcement carve-outs are not merely unfair — they are unconstitutional under Oregon law. HB 4145 exempts active and retired law enforcement officers from both the permit-to-purchase requirement and the large-capacity magazine prohibition, regardless of whether they are acting in an official capacity. Article I, Section 20 of the Oregon Constitution states plainly: “No law shall be passed granting to any citizen or class of citizens privileges, or immunities, which, upon the same terms, shall not equally belong to all citizens.” The carve-outs in HB 4145 do exactly what Section 20 forbids — they grant a specific class of citizens privileges that are denied to all others on unequal terms. A retired law enforcement officer living next door to me in Newberg would be free to purchase a firearm without a permit and possess standard-capacity magazines without restriction, while I would face criminal penalties for doing the same. There is no rational basis for this distinction. If these firearms and magazines are too dangerous for ordinary citizens, they are too dangerous for off-duty and retired officers. If they are safe enough for those officers to possess in their private lives, they are safe enough for every law-abiding Oregonian. This committee should not advance legislation that so clearly violates the Oregon Constitution’s guarantee of equal privileges and immunities.

I respectfully ask this committee to reject HB 4145. Oregon already has existing federal and state background check systems that function to keep firearms out of the hands of prohibited persons. Piling additional layers of bureaucracy, cost, and delay onto the lawful exercise of a constitutional right does not make our communities safer — it only penalizes responsible citizens. Thank you for your time and consideration.

Respectfully,

Caleb White
Newberg, Oregon