

Submitter: Grant Acrea  
On Behalf Of:  
Committee: Senate Committee On Rules  
Measure, Appointment or Topic: HB4145

I respectfully submit this testimony in strong opposition to HB 4145.

While public safety is a legitimate and important objective, HB 4145 raises serious constitutional and practical concerns. When legislation implicates a fundamental right, it must meet the highest standards of legal scrutiny and be carefully grounded in both constitutional text and historical tradition.

In *District of Columbia v. Heller* (2008), the U.S. Supreme Court affirmed that the Second Amendment protects an individual right to keep and bear arms for lawful purposes. In *McDonald v. City of Chicago* (2010), that protection was incorporated against the states. Most recently, in *New York State Rifle & Pistol Association v. Bruen* (2022), the Court clarified that when the government regulates conduct covered by the Second Amendment's plain text, it must demonstrate that the regulation is consistent with the Nation's historical tradition of firearm regulation.

Under the *Bruen* framework, modern policy preferences are not sufficient. The state bears the burden of identifying a well-established historical analogue that justifies the restriction. Broad, contemporary regulatory schemes that substantially burden ordinary, law-abiding citizens—without clear historical precedent—are constitutionally suspect.

HB 4145 appears to impose significant burdens on lawful acquisition, possession, or exercise of Second Amendment rights without demonstrating a close historical analogue. Measures that create substantial cost, delay, or administrative barriers risk becoming *de facto* prohibitions for ordinary citizens. A constitutional right should not depend on processing timelines, geographic access, or bureaucratic capacity.

Moreover, laws must be narrowly tailored to address demonstrable harm. Criminal actors, by definition, do not comply with firearm regulations. Policies that primarily affect those already following the law do little to deter violent offenders, while imposing new obligations and restrictions on compliant residents. Under constitutional principles, especially when fundamental rights are involved, the government must ensure that regulations do not unduly burden lawful conduct in pursuit of speculative benefits.

There is also the issue of equal access. Rural Oregonians and working families often face greater logistical and financial obstacles. When compliance requires additional travel, fees, training, or administrative processing, the burden falls disproportionately

on those outside metropolitan areas. Constitutional rights should not vary based on zip code or income level.

Oregon can pursue public safety while respecting constitutional limits and historical tradition. HB 4145, as written, does not strike that balance.

Thank you for your time and consideration.