

Submitter: Sebastian McMasters
On Behalf Of:
Committee: Senate Committee On Rules
Measure, Appointment or Topic: HB4145

Written Testimony Opposing HB 4145

Submitted by: Sebastian McMasters

Private Citizen

Eugene, Oregon

Chair and Members of the Committee,

I write as a private citizen to express firm opposition to House Bill 4145, which seeks to further implement and operationalize Ballot Measure 114.

Measure 114 passed by one of the narrowest margins in recent Oregon ballot history and remains under active constitutional challenge in both state and federal courts. Its enforcement has been delayed because courts have raised serious questions under Article I, Section 27 of the Oregon Constitution and under the Second Amendment to the United States Constitution. Advancing additional implementing legislation while the underlying measure remains legally unsettled is premature and risks entrenching a framework that may ultimately be invalidated.

When legislation implicates enumerated constitutional rights, restraint is not obstruction. It is respect for the constitutional order. Moving forward now signals a willingness to solidify policy before the judiciary has completed its review. Even if legally permissible, this approach undermines public confidence in the separation of powers and in the seriousness with which constitutional safeguards are treated. Measure 114 was deeply divisive at the time of passage, and public confidence in its structure has not improved. Many Oregonians, including individuals who originally voted in favor of the measure, have since expressed concern about the permit-to-purchase system, its cost, its administrative feasibility, and the degree of discretion it places in the hands of law enforcement agencies. Expanding and entrenching that system through HB 4145 without renewed public engagement risks appearing dismissive of legitimate and evolving public concerns.

In the current national political climate, where trust in institutions is already strained, concentrating additional discretionary authority in enforcement agencies over the exercise of a constitutional right demands extreme caution. Policies that elevate state gatekeeping power over fundamental rights must be unquestionably constitutional, clearly effective, and broadly legitimate. At present, Measure 114 meets none of those standards with certainty.

There is also insufficient evidence that HB 4145 will meaningfully reduce gun violence. Permit-to-purchase systems primarily regulate individuals attempting to acquire firearms through lawful channels. Individuals intent on violent crime often obtain weapons through illegal markets, theft, or straw purchases. Magazine capacity restrictions and additional permitting layers do not eliminate those pathways. Laws that primarily burden law-abiding citizens while offering uncertain impact on criminal

misuse risk deepening public cynicism about legislative priorities. Cramming forward implementation legislation while constitutional litigation remains active may be procedurally allowable, but it risks appearing heavy-handed and dismissive of the electorate's divided voice. Democratic legitimacy requires more than technical authority. It requires prudence, transparency, and responsiveness to public doubt. Proceeding in this manner threatens to further erode public trust in the Legislature, in state institutions, and in the political leadership advancing this bill at a time when institutional credibility is already vulnerable.

Public trust, once damaged, is not easily restored.

For these reasons, I respectfully urge you to oppose HB 4145 or, at minimum, delay further action until appellate courts provide definitive constitutional guidance and broader public confidence can be rebuilt.

Thank you for your consideration.

Respectfully,

Sebastian McMasters

Eugene, Oregon