

LC 246-EXPLAN  
(IRR 17, 2022)  
7/1/22 (JLM/ps)

**THIS EXPLANATION HAS NOT BEEN  
REVIEWED OR APPROVED BY THE  
LEGISLATIVE COUNSEL COMMITTEE.**

**MEASURE NO. \_\_\_\_\_**

**REQUIRES PERMIT TO ACQUIRE FIREARMS; POLICE MAINTAIN  
PERMIT/FIREARM DATABASE; CRIMINALLY PROHIBITS CERTAIN AMMUNITION  
MAGAZINES**

Submitted to the Electorate of Oregon by Initiative Petition to be voted on at the General Election, November 8, 2022.

**Explanation**

This measure changes Oregon law relating to firearms by (1) requiring safety training and completed background checks to obtain a permit to purchase firearms; and (2) limiting the use, manufacture, sale and purchase of large capacity ammunition magazines.

Currently:

- No permit required to obtain firearms.
- License required to carry concealed handgun.
- State Police tracks background checks; no requirement for searchable database of gun purchases/ownership; may retain records for five years.
- No required safety training, except for concealed handgun license or hunting license for youth.
- Firearms cannot be possessed or purchased by prohibited persons.

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- 1 ■ Sheriff can deny concealed handgun license based on failed background check or
- 2 evidence that applicant poses danger to themselves or others.
- 3 ■ Firearms can be sold/transferred without completed background check after three
- 4 days.
- 5 ■ No restrictions on firearm magazines.
- 6 ■ Violations of existing firearm regulations are Class A misdemeanors; repeat
- 7 violations may be felonies.

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9 Under Measure:

- 10 ■ Buyers must have permit in order to purchase firearm from gun dealer, private
- 11 seller or at gun show.
- 12 ■ To obtain permit, buyer must:
  - 13 ○ Complete approved firearm safety course that includes review of relevant
  - 14 laws, safe firearm storage, prevention of abuse and misuse of firearms, and
  - 15 hands-on demonstration of basic firearms handling; instructor certified by
  - 16 law enforcement agency.
  - 17 ○ Submit fingerprints and application, pay fee of no more than \$65 for first
  - 18 permit (valid for five years) and \$50 for renewal.
  - 19 ○ Application may include other information determined necessary by
  - 20 department rule.
  - 21 ○ Pass criminal background check through State Police, be cleared to possess
  - 22 firearm.
- 23 ■ Permits may be denied if applicant poses danger to themselves or others.
- 24 ■ Establishes appeals process for denied, revoked or non-renewed permits.
- 25 ■ Requires State Police to maintain electronically searchable database of permits,
- 26 information is exempt from public disclosure.
- 27 ■ State Police annually reports permit data; may gather and report other information
- 28 to ensure permit process is administered in a “consistent and equitable manner.”

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- 1       ■ Sale/transfer of firearm to person without a permit is Class A misdemeanor; repeat
- 2       violations may be felonies.
- 3       ■ Possessing a firearm without a permit is not itself a crime.
- 4       ■ Regulates “large-capacity magazines”:
- 5           ○ “Large-capacity magazines” include fixed/detachable magazines (or
- 6           functional equivalent) that can accept “more than 10 rounds of ammunition
- 7           and allows a shooter to keep firing without having to pause to reload.”
- 8           ○ Particular application to certain firearms set forth in measure.
- 9           ○ 180 days after passage, the manufacture, sale, use or possession of large-
- 10          capacity magazines is a Class A misdemeanor, except by:
- 11           ▪ law enforcement agencies and armed services in performance of
- 12           their duties;
- 13           ▪ individuals who then own or later inherit large-capacity magazines,
- 14           when only used on owner’s property, at shooting
- 15           ranges/competitions, while hunting consistent with applicable
- 16           regulations, and during transport to permissible location (if secured
- 17           separately from firearm).
- 18           ○ At any time, individuals may avoid criminal liability by turning-in large-
- 19           capacity magazines through a law enforcement-approved buyback or turn-
- 20           in program provided no charges are pending.

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Certification:

We, the undersigned, hereby certify that, pursuant to ORS 251.215(4), we have prepared the statement described under “Explanatory Statement.”

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Date

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*Elizabeth McKanna*

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7/26/2022

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*Margaret Olney*

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Leonard Williamson

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Date

DocuSigned by:

*Lynn Nakamoto*

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7/27/2022

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