

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 check to obtain a permit to purchase firearms; and (2) generally prohibiting use, manufacture, sale and purchase of large capacity ammunition magazines.

Currently:

- No permit required to obtain firearms.
- Background checks required, but after three days, firearms may be sold/transferred before background check completed.
- Firearms cannot be possessed by prohibited persons, including felons, certain criminal defendants, individuals with certain adjudged mental illnesses, and individuals subject to domestic abuse or extreme risk protection orders.
- 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 and hunting license for youth.
- Sheriff must deny concealed handgun license based on failed background check or determining applicant poses danger to self or others.

- No restrictions on firearm magazines.
- Violations by sellers/transfers are Class A misdemeanors; repeat violations may be felonies.

Under Measure:

- Individuals must have permit to obtain firearm from gun dealer, private individual or at gun show.
- To obtain permit (valid five years), applicant must:
 - Complete approved safety course including review of relevant laws, safe firearm storage, firearm abuse/misuse prevention, applicant's hands-on demonstration of basic firearms handling and firing; instructor certified by law enforcement agency.
 - Pay initial fee (maximum \$65) covering fingerprints, background check ; \$50 renewal.
 - Submit application to State Police, which prepares rules for required information in application.
 - Pass background check, be cleared to possess firearm.
- Permit may be denied if applicant poses danger to self or others.
- Establishes appeals process for denied, revoked or non-renewed permits.
- Requires State Police to maintain electronically searchable database of permits.
- State Police reports statistical permit data; may report other information to ensure permit process administered in "consistent and equitable manner."
- Sale/transfer of firearm to person without a permit is Class A misdemeanor; repeat violations may be felonies.
- Possessing a firearm without a permit is not itself a crime.
- Regulates "large-capacity magazines":
 - "Large-capacity magazines" include fixed/detachable magazines (or functional equivalent) that can accept "more than 10 rounds of ammunition and allows a shooter to keep firing without having to pause to reload."

- Exceptions for “lever-action” firearms and permanently altered fixed magazines, 10 rounds or fewer.
- 180 days after passage the manufacture, sale, use or possession of large-capacity magazines is a Class A misdemeanor:
 - exception for law enforcement and armed services personnel in performance of their duties; and
 - those who own or later inherit large-capacity magazines when used on owner’s property, at shooting ranges/competitions, while hunting consistent with applicable regulations, and during transport to permissible location (if secured separately from firearm) have affirmative defense.
- At any time, individuals may avoid criminal liability by turning-in large-capacity magazines through a law enforcement-approved buyback or turn-in program, provided no charges are pending.

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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