

Enrolled House Bill 2424

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Department of Corrections)

CHAPTER

AN ACT

Relating to the possession of certain weapons by authorized staff; creating new provisions; amending section 2, chapter 88, Oregon Laws 2014; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2, chapter 88, Oregon Laws 2014, is amended to read:

Sec. 2. (1) Notwithstanding ORS 162.135 and 162.185 or any Department of Corrections regulation, rule, policy or provision of an employment contract to the contrary, if the department has not provided a secure and locked location for *[storing firearms owned by corrections officers, a corrections officer employed by the department may possess a firearm in the officer's]* **the storage of personal handguns and ammunition by authorized staff, authorized staff may possess a personal handgun and ammunition in the authorized staff member's** personal vehicle when the vehicle is parked in a department parking lot if the *[officer]* **authorized staff member:**

(a) Is present *[in the officer's official capacity]* at a public building **owned or** occupied by the department;

(b) Has a valid concealed handgun license issued pursuant to ORS 166.291 and 166.292; and

(c) Has secured the *[firearm]* **personal handgun and ammunition** in a closed and locked *[trunk, glove compartment, center console or other container, and the key is not inserted into the lock, if the trunk, glove compartment, center console or other container locks with a key]* **container designed for the storage of firearms inside the vehicle.**

(2)(a) **Authorized staff may possess and store only the amount and types of ammunition authorized by the department by written policy or rule.**

(b) **The department shall adopt written policies or rules to carry out the purposes of this section. The policies or rules shall include, at a minimum, procedures for and responsibilities of authorized staff when possessing and storing personal handguns and ammunition on property owned or occupied by the department under this section.**

[(2)] (3) As used in this section, *“corrections officer”* has the meaning given that term in ORS 181.610.] **and section 2 of this 2015 Act:**

(a) **“Authorized staff” means employees of the department and employees of the State Board of Parole and Post-Prison Supervision and Oregon Corrections Enterprises who are assigned to work in or at a public building owned or occupied by the department.**

(b) **“Handgun” has the meaning given that term in ORS 166.210.**

(c) **“Vehicle” means a vehicle that is self-propelled and that is commonly known as a passenger car, van, truck or motorcycle.**

SECTION 2. (1) The presence of a handgun or ammunition on property owned or occupied by the Department of Corrections pursuant to section 2, chapter 88, Oregon Laws 2014, does not, by itself, constitute a failure by the department, State Board of Parole and Post-Prison Supervision or Oregon Corrections Enterprises to provide a safe workplace.

(2) The department, board and Oregon Corrections Enterprises and their officers, employees and agents do not have a duty:

(a) To patrol, inspect or secure any parking lot, parking garage or other parking area provided for employees or any privately owned vehicle located in the parking lot, parking garage or other parking area to ensure compliance with section 2, chapter 88, Oregon Laws 2014; or

(b) To investigate, confirm or determine authorized staff's compliance with laws, rules or policies related to the ownership or possession of a handgun or ammunition or the transportation and storage of a handgun or ammunition.

SECTION 3. The amendments to section 2, chapter 88, Oregon Laws 2014, by section 1 of this 2015 Act apply to employment contracts entered into or renewed on or after the effective date of this 2015 Act.

SECTION 4. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.

Passed by House March 25, 2015

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 26, 2015

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2015

Approved:

.....M.,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2015

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Jeanne P. Atkins, Secretary of State