

# Senate Bill 232

Sponsored by Senator MONNES ANDERSON, Representative PILUSO (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires court to ask petitioner at hearing for family or household abuse restraining order whether respondent possesses any firearms and to record answer on order.

Directs presiding judge of judicial district to adopt protocols relating to surrender of firearms by persons prohibited by court order from possessing firearms.

## A BILL FOR AN ACT

1  
2 Relating to the possession of firearms by prohibited persons.

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

4 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS 107.700 to**  
5 **107.735.**

6 **SECTION 2. At the ex parte hearing described in ORS 107.718 (1), the court shall inquire**  
7 **of the petitioner whether the respondent is in possession of any firearms and shall record**  
8 **the petitioner's answer on any court order resulting from the hearing.**

9 **SECTION 3. (1) The presiding judge for the circuit court of a judicial district within this**  
10 **state shall, in consultation with the district attorney and local law enforcement agencies,**  
11 **adopt protocols concerning the surrender of firearms by persons subject to a court order**  
12 **prohibiting the person from possessing firearms.**

13 **(2) The protocols described in subsection (1) of this section must include:**

14 **(a) A set of criteria to determine whether the court should enter an additional order**  
15 **requiring the person to surrender firearms.**

16 **(b) A method of tracking compliance with court orders prohibiting the possession of**  
17 **firearms and requiring the surrender of firearms.**

18 **(c) Procedures allowing persons to voluntarily surrender firearms to a local law**  
19 **enforcement agency.**

20 **(d) Procedures by which local law enforcement agencies may lawfully seize or otherwise**  
21 **confiscate firearms possessed by a person in violation of a court order.**

22 **(e) Criteria for the issuance of search warrants and arrest warrants and the initiation**  
23 **of contempt proceedings.**

24 **(3) The presiding judge may delegate the requirements described in subsection (1) of this**  
25 **section to another judge of the court.**  
26

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.