



Open Government Impact Statement

80th Oregon Legislative Assembly
2019 Regular Session

Measure: SB 978-A

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Authorizes gun dealer, seller at gun show, or business engaged in repairing or servicing firearms to establish minimum age of 18, 19, 20 or 21 years for purchase of firearms, firearm accessories, firearm components, ammunition or ammunition components, or for firearm repairs or services. Provides that minimum age constitutes exemption from antidiscrimination statute in place of public accommodation.

Requires owner or possessor of firearm to secure firearm with trigger or cable lock, in locked container or in gun room except in specified circumstances. Punishes violation by maximum of \$500 fine. Provides that person who does not secure firearm as required is strictly liable for injury to person or property caused by firearm within two years after violation.

Requires owner or possessor of firearm to secure firearm with trigger or cable lock or in locked container when transferring firearm. Punishes violation by maximum of \$500 fine. Provides that person who does not transfer firearm as required is strictly liable for injury to person or property caused by firearm within two years after violation.

Requires person to report loss or theft of firearm within 72 hours of time person knew or reasonably should have known of loss or theft, or within 24 hours of means of reporting becoming available. Punishes violation by maximum of \$1,000 fine. Provides that person who does not report loss or theft as required is strictly liable for injury to person or property caused by firearm within two years after violation or until loss or theft is reported.

Requires person transferring firearm to minor to directly supervise minor's use of firearm. Specifies exceptions. Provides that person who does not supervise minor as required is strictly liable for injury to person or property caused by minor's use of firearm until person regains possession of firearm.

Directs Oregon Health Authority to specify by rule minimum specifications for trigger and cable locks and locked containers required by Act.

Creates offense of unlawful storage of firearm and punishes by maximum of \$500 fine. Punishes by maximum of \$2,000 fine if minor obtains possession of firearm and menaces another person. Punishes by maximum of 364 days' imprisonment, \$6,250 fine, or both, if minor obtains possession of firearm and injures or kills person. Prohibits person from receiving firearm for five years after conviction. Prohibits person with two or more convictions from possessing firearms unless relief from prohibition is obtained.

Requires gun dealers to post notice concerning obligation to store firearms in safe manner.

Defines "unfinished frame or receiver." Requires gun dealer to conduct criminal background check before transferring unfinished frame or receiver. Punishes importing, offering for sale or transferring unfinished receiver by maximum of 10 years' imprisonment, \$250,000 fine, or both.



Specifies exceptions. Punishes possession of unserialized unfinished frame or receiver by maximum of five years' imprisonment, \$125,000 fine, or both. Provides that person commits crime if person possesses unfinished frame or receiver and is prohibited from possessing firearms. Punishes by maximum of 364 days' imprisonment, \$6,250 fine, or both.

Defines "undetectable firearm." Punishes manufacturing, importing, offering for sale or transferring undetectable firearm by maximum of 10 years' imprisonment, \$250,000 fine, or both. Punishes possession of undetectable firearm by maximum of 364 days' imprisonment, \$6,250 fine, or both.

Defines "untraceable firearm." Punishes possessing, manufacturing, importing, offering for sale or transferring untraceable firearm by maximum of 10 years' imprisonment, \$250,000 fine, or both.

Directs Oregon Health Authority to obtain from hospitals data concerning patients with injuries caused by firearms. Directs authority to transfer data to Oregon Trauma Registry. Specifies types of and uses for data.

Increases fees payable to county sheriff for issuance, renewal or duplication of concealed handgun license. Authorizes sheriff to collect from license applicant fee charged by Federal Bureau of Investigation for nationwide fingerprint check.

Authorizes city, county, metropolitan service district, port operating certain commercial airports, school district, college or university to adopt ordinance or policy limiting or precluding affirmative defense for possession of firearms in public buildings by concealed handgun licensees. Modifies definition of public building, for purposes of crime of possession of weapon in public building, to include certain airport areas, buildings owned or controlled by state or city agency and real property owned by college or university. Punishes violation by maximum of five years' imprisonment, \$125,000 fine, or both. Exempts from prohibition person possessing firearm in certain airport areas when firearm is unloaded and in locked container for purposes of transporting firearm as checked baggage.

Exempts transfer of firearm to museum from criminal background check requirement for private firearm transfers.

Takes effect on 91st day following adjournment sine die.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from public disclosure hospital emergency department discharge records and outcome data for patients receiving treatment for an injury caused by a firearm received by the Oregon Health Authority.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public could gain emergency room medical records and outcome data for individuals treated for injuries caused by firearms.