

A-Engrossed
House Bill 2481

Ordered by the House March 24
Including House Amendments dated March 24

Sponsored by Representatives POWER, FAHEY; Representatives BYNUM, DEXTER (Pre-session 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.

Prohibits law enforcement agencies from receiving certain military surplus equipment from federal government. Specifies requirements when military surplus equipment is purchased, *[or]* requested **or received by law enforcement agency**.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to law enforcement equipment; and prescribing an effective date.

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

4 **SECTION 1. (1) A law enforcement agency may not receive any of the following property**
5 **from a military equipment surplus program operated by the federal government:**

6 (a) Unmanned aircraft systems that are armored or weaponized;

7 (b) Aircraft that are combat-configured or combat-coded;

8 (c) Grenades or similar explosives, or grenade launchers; or

9 (d) Firearms silencers.

10 (2) A law enforcement agency purchasing property from a military surplus program op-
11 erated by the federal government may use only state or local funds, and may not use funds
12 obtained from the federal government, for the purchase.

13 (3) To receive property not prohibited by subsection (1) of this section from a military
14 equipment surplus program:

15 (a) For a local law enforcement agency with jurisdiction over a municipality or tribal
16 lands, the law enforcement agency shall obtain written approval from the governing body of
17 the municipality or tribal lands for receipt of the property.

18 (b) For a county sheriff's office, the sheriff shall, at least five days before requesting the
19 property, notify the board of county commissioners or county court in writing of the request.
20 The written notice must include information about the type of equipment requested, the es-
21 timated cost savings to the county if the request is granted, the estimated costs of
22 refurbishing or repairing the equipment and the intended use by the sheriff of the property.

23 (c) For a law enforcement agency within a state agency or special government body, in-
24 cluding the Department of Justice, the law enforcement agency shall obtain written approval
25 from the director, or the person in a position equivalent to a director, of the state agency
26 or special government body.

27 (d) For a law enforcement agency that is a state agency, the law enforcement agency

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.

1 shall obtain written approval from the person or entity with the authority to appoint and
2 remove the director, or the person in a position equivalent to a director, of the state agency.

3 (4) If a law enforcement agency requests property from a military equipment surplus
4 program, the law enforcement agency shall publish notice of the request on a publicly ac-
5 cessible website within 14 days after the request.

6 (5) As used in this section:

7 (a) "Firearms silencer" has the meaning given that term in ORS 166.210.

8 (b) "Law enforcement agency" means any agency that employs police officers or prose-
9 cutes criminal cases, but does not include a tribal law enforcement agency.

10 (c) "Police officer" means:

11 (A) A member of the Oregon State Police;

12 (B) A sheriff, a municipal police officer or a police officer commissioned by a university
13 under ORS 352.121 or 353.125;

14 (C) An investigator of a district attorney's office if the investigator is or has been certi-
15 fied as a peace officer in this or any other state;

16 (D) An investigator of the Criminal Justice Division of the Department of Justice;

17 (E) A humane special agent as defined in ORS 181A.345; or

18 (F) A regulatory specialist exercising authority described in ORS 471.775 (2).

19 (d) "Unmanned aircraft system" has the meaning given that term in ORS 837.300.

20 **SECTION 2.** This 2021 Act takes effect on the 91st day after the date on which the 2021
21 regular session of the Eighty-first Legislative Assembly adjourns sine die.

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