

# Senate Bill 902

Sponsored by Senator BOQUIST (at the request of Ted Campbell)

## 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**.

Authorizes local law enforcement authority to issue written waiver, within authority's jurisdiction, of requirement that person engaged in business of selling, leasing or otherwise transferring firearm provide duplicate sheet of register of transfer of used firearm to local law enforcement authority. Requires person to retain copy of waiver. Authorizes local law enforcement authority to accept copy of firearms transaction record form in lieu of duplicate sheet of register.

## A BILL FOR AN ACT

1 Relating to used firearm transfer records; creating new provisions; and amending ORS 166.427.

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

3 **SECTION 1.** ORS 166.427 is amended to read:

4 166.427. (1) **Except as provided in subsection (2) of this section and ORS 726.285:**

5 (a) Whenever a person engaged in the business, as defined in 18 U.S.C. 921, of selling, leasing  
6 or otherwise transferring a firearm, whether the person is a retail dealer, pawnbroker or otherwise,  
7 buys or accepts in trade, a used firearm, the person shall enter in a register the time, date and place  
8 of purchase or trade, the name of the person selling or trading the firearm, the number of the  
9 identification documentation presented by the person **selling or trading the firearm** and the make,  
10 model and manufacturer's number of the firearm. *[The register shall be obtained from and furnished*  
11 *by the Department of State Police to the dealer on application at cost.]*

12 [(2)] (b) The duplicate sheet of the register shall, on the day of purchase or trade, be hand de-  
13 livered or mailed to the local law enforcement authority.

14 (2) **The register shall be obtained from and furnished by the Department of State Police**  
15 **to the person on application at cost.**

16 (3)(a) **A local law enforcement authority may waive the requirement described in sub-**  
17 **section (1)(b) of this section within the authority's jurisdiction by providing a copy of a**  
18 **written waiver to each person engaged in the business of selling, leasing or otherwise**  
19 **transferring firearms within the jurisdiction. Upon receipt, a person engaged in the business**  
20 **of selling, leasing or otherwise transferring a firearm shall retain the copy of the waiver.**

21 (b) **A local law enforcement authority may, in lieu of the duplicate sheet of the register**  
22 **described in subsection (1)(b) of this section, accept a copy of a firearms transaction record**  
23 **form issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives.**

24 [(3)] (4)(a) Violation of this section by any person engaged in the business of selling, leasing or  
25 otherwise transferring a firearm is a Class C misdemeanor.

26 (b) **A person engaged in the business of selling, leasing or otherwise transferring a**  
27 **firearm who retains a copy of a waiver under subsection (3)(a) of this section or who provides**  
28 **the local law enforcement authority with a firearms transaction record, if accepted by the**  
29 **authority, under subsection (3)(b) of this section is not in violation of this section.**  
30

**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        **SECTION 2.** The amendments to ORS 166.427 by section 1 of this 2017 Act apply to  
2 transfers of used firearms occurring on or after the effective date of this 2017 Act.  
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