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INITIATIVE PETITION

The Elections Division received a certified ballot title from the Attorney General on July 26, 2021, for Initiative Petitions **2022-017** and **2022-018**, proposed for the November 8, 2022, General Election.

Caption**2022-017**

Requires permit to acquire firearms; police maintain permit/firearm database; criminally prohibits certain ammunition magazines

2022-018

Prohibits manufacturing/ possessing/ transferring many semiautomatic firearms; criminal penalties; exceptions require firearm registration, restrict use

Chief Petitioners

Walter John Knutson III 4526 NE 27th Avenue Portland, OR 97211

Michael Z. Cahana 3139 SW Fairmount Blvd. Portland, OR 97239

Marilyn Keller 5273 NE 14th Place Portland, OR 97211

Appeal Period

Any registered voter, who submitted timely written comments on the draft ballot title and is dissatisfied with the certified ballot title issued by the Attorney General, may petition the Oregon Supreme Court to review the ballot title.

If a registered voter petitions the Supreme Court to review the ballot title, the voter must notify the Elections Division by completing and filing form [SEL 324 Notice of Ballot Title Challenge](#). If this notice is not timely filed, the petition to the Supreme Court may be dismissed.

Appeal Due

August 9, 2021

How to Submit Appeal

Refer to Oregon Rules of Appellate Procedure, Rule 11.30 or contact the Oregon Supreme Court for more information at 503.986.5555.

Notice Due

1st business day after appeal filed with Supreme Court, 5 pm

How to Submit Notice

Scan and Email: irrlistnotifier.sos@oregon.gov

Fax: 503.373.7414

Mail: 255 Capitol St NE Ste 501, Salem OR 97310

More information, including the certified ballot title and the Secretary of State's determination that the proposed initiative petition is in compliance with the procedural requirements established in the Oregon Constitution for initiative petitions, is contained in the [IRR Database](#) available at www.oregonvotes.gov



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CONSTITUTIONAL REQUIREMENT RULING

Initiative Petition No.	Date Filed	Comment Deadline	Certified Ballot Title Due
2022-017	April 29, 2021	July 9, 2021	July 26, 2021

Draft Ballot Title Caption

Requires permit to acquire firearms; creates permit database; prohibits ammunition magazines over ten rounds; exceptions

Chief Petitioners

Walter John Knutson III 4526 NE 27th Avenue Portland, OR 97211
 Michael Z. Cahana 3139 SW Fairmount Blvd. Portland, OR 97239
 Marilyn Keller 5273 NE 14th Place Portland, OR 97211

Procedural Constitutional Requirement Commentor

Michael Ramsdal
 Brian Jitloff
 Stephen D. Poss
 Paul Donheffner
 Dan Cushing

Certification

I have reviewed the above-captioned initiative petition, including any comments submitted regarding constitutional requirements, and find that:

It **complies** with the procedural constitutional requirements.

It **does not comply** with the procedural constitutional requirements.

Shemia Fagan, Secretary of State

07/26/2021

Dated



DEPARTMENT OF JUSTICE
APPELLATE DIVISION

July 26, 2021

Deborah Scroggin
Director, Elections Division
Office of the Secretary of State
255 Capitol St. NE, Ste. 501
Salem, OR 97301

Re: Proposed Initiative Petition — Requires Permit to Acquire Firearms; Police Maintain Permit/Firearm Database; Criminally Prohibits Certain Ammunition Magazines.

DOJ File #BT-17-21; Elections Division #2022-017

Dear Ms. Scroggin:

We received comments about the draft ballot title for the above-referenced measure from 14 electors. We have reviewed each and every comment. Some of the comments received suggested some confusion about the process for citizen initiative petitions, in that they challenged provisions or language in the proposed ballot measure, stated opposition to the proposed measure, or urged the Secretary of State's office to refuse to place it on the ballot. The Attorney General's designated role in the process of drafting the ballot title is to prepare an impartial ballot title that complies with ORS 250.035. The comments on a draft ballot title are an important part of that process, pointing out flaws in the draft ballot title, or nuances in the measure that may not be readily apparent. The end result, the certified ballot title, is intended to provide fair and accurate information to voters so that informed choices can be made. Many of the remaining comments presented similar themes or arguments, and we address each of those common concerns in this letter.

We have used the comments to refine the ballot title language, and we have made changes to the caption, the result statements, and the summary.

This letter summarizes the substantive comments, our responses to those comments, and the reasons why we altered or declined to alter the draft ballot title in response to the comments. ORAP 11.30(7) requires this letter to be included in the record if the Oregon Supreme Court is asked to review the ballot title.

A. Procedural requirements and constitutional requirements

Several commenters contend that IP 17 fails to comply with the single subject provision of Article IV, Section 1(2)(d), of the Oregon Constitution. That constitutional provision requires a proposed law to "embrace one subject only and matters properly connected therewith."

Whether IP 17 complies with that requirement is beyond the scope of the ballot title drafting process. *See* OAR 165-14-0028 (providing for separate review process by Secretary of State to determine whether measure complies with constitutional procedural requirements for proposed initiative measures). Accordingly, we do not address that issue here.

Some commenters also contend that IP 17 is unconstitutional under *District of Columbia v. Heller*, 554 US 570, 128 S Ct 2783, 171 L Ed 2d 637 (2008), or *Duncan v. Becerra*, 970 F3d 1133 (9th Cir 2020), *vacated*, 988 F3d 1209 (9th Cir 2021), and that the ballot title must state that it is unconstitutional. When the question of a law’s unconstitutionality is “settled” and its application to the measure is “clear,” the attorney general may address that issue in a ballot title. *Nearman v. Rosenblum*, 358 Or 818, 827-30, 371 P3d 1186 (2016). *See also Caruthers v. Myers*, 344 Or 596, 601-03, 189 P3d 1 (2008) (when the measure “undisputedly conflicted with federal law” Attorney General was obligated to so describe measure).

We conclude that it is not clear or indisputable that IP 17, if enacted, would conflict with federal law. *See, e.g., Kolbe v. Hogan*, 849 F3d 114, 135-36 (4th Cir 2017) *cert den*, ___ US ___, 138 S Ct 469, 199 L Ed 2d 374 (2017) (ban on certain assault weapons and magazines capable of holding 10 or more rounds did not violate Second Amendment, did not violate Equal Protection Clause, and was not unconstitutionally vague); *Silvester v. Harris*, 843 F3d 816 (2016), *cert den sub nom, Silvester v. Becerra*, 138 S Ct 945 (9th Cir 2018) (10-day waiting period for purchase of all guns did not violate Second Amendment); *New York State Rifle and Pistol Ass’n, Inc. v. Cuomo*, 804 F3d 242 (2d Cir 2015), *cert den sub nom, Shew v. Malloy*, 136 S Ct 2486 (2016) (law prohibiting possession of “semiautomatic assault weapons” and magazines capable of holding 10 or more rounds did not violate Second Amendment and was not unconstitutionally vague). We also note that the decision in *Duncan* has been vacated, and therefore holds no precedential value. 988 F3d 1209; *but see, Miller v. Bonta*, ___ F Supp 3d ___ (D SD Cal 2021), *appeal filed* June 10, 2021 (ban on “assault weapons” violated Second Amendment); *Hirschfeld v. Bureau of Alcohol, Firearms, Tobacco & Explosives*, ___ F4th ___ (4th Cir July 13, 2021) (overturning law barring handgun sales to persons under 21). Accordingly, we decline to address the constitutionality of IP 17 in the ballot title.

B. Current law

Before addressing the remaining comments on the draft ballot title, we discuss the current state gun laws that will be affected by IP 17 and identify the specific changes that the measure would make to those laws if enacted.

In general, under current law, no license or permit is required to carry a firearm, except to carry a concealed handgun. ORS 166.291. Gun owners are not required to register firearms.

Transfers of any type of firearm, except for transfers between law enforcement/armed forces, close family members, or by inheritance, are completed by a federally registered gun dealer. ORS 166.435(2); 166.435(4). However, transfers may also occur through a private owner at a gun show if the private owner requests a background check with the state police and receives an approval number indicating the recipient is qualified to complete the transfer. ORS 166.438(1); 166.436(2).

Upon request for a background check by a gun dealer or a private owner, the state police must determine whether the transferee is disqualified from owning a firearm because the transferee is under 18, has been convicted of a felony, has outstanding felony warrants for arrest, is on pretrial release for a felony, or is precluded from firearm ownership due to an adjudication of mental illness. ORS 166.412(2); 166.432; 166.434; 166.436(2)-(3); 166.470. The department may, but is not required to, retain a record of the information obtained during a background check for no more than five years. ORS 166.412(7)(a); 166.436(5)(a). The record is exempt from disclosure under public records law. ORS 166.412(7)(b); 166.436(5)(b).

If a gun dealer requests a background check prior to a firearm sale and the police cannot complete it before the close of the gun dealer's next business day, the dealer can transfer the firearm without completion of the background check. ORS 166.412(3)(c). A gun dealer receiving approval for the transfer must keep a copy of the "firearms transaction thumbprint" form for five years. ORS 166.412(2)(e)-(f). Private firearm sellers must also retain records for five years. ORS 166.438(2). Improperly transferring a firearm is a Class A misdemeanor. ORS 166.418.

Oregon law does not currently require completion of a safety training course (other than to obtain a concealed carry permit for a handgun; ORS 166.291) or a waiting period before a purchaser may obtain a firearm. There is also no restriction on firearm magazines.

C. IP 17's changes to current law

1. Permit to purchase firearms

IP 17 provides that, before a person may purchase a firearm from a gun dealer, from a private person, or at a gun show, the person must apply for a "permit-to-purchase" (permit) a firearm or firearms from the police chief or county sheriff or their designees (permit agent) with jurisdiction over the person's residence. IP 17 Sections 4-9. To qualify for a permit, the person cannot be prohibited from purchasing or acquiring a firearm under state or federal law, be the subject of an "extreme risk protection order" described in ORS 166.525 to 166.543, or "present reasonable grounds for a permit agent to conclude that the applicant has been or is reasonably likely to be a danger to self or others, or to the community at large, as a result of the applicant's mental or psychological state or as demonstrated by the applicant's past pattern of behavior involving unlawful violence or threats of unlawful violence." IP 17 Section 4(1)(b)(A)-(C); IP 17 Section 5(2).

To qualify for a permit, the person must complete an approved firearm safety course, pay a fee, provide their personal information, submit to fingerprinting and photographing, and pass a criminal background check. IP 17 Section 4(1)(b)(D); IP 17 Section 4(1)(c)-(e).

If the person qualifies for a permit, the permit agent must issue the permit within 30 days. IP 17 Section 4(3)(a). The permit is valid for five years from the date of issuance, unless revoked. IP 17 Section 4(7)(a).

If the person's application is denied or no decision on the application is made within 30 days, the person may seek review in the circuit court in the person's county of residence. IP 17

Section 5(5). Any party to such a judgment may appeal to the Oregon Court of Appeals. IP 17 Section 5(12).

The Department of State Police (department) is required to create and maintain an electronic searchable database of all permits issued, renewed, expired, or revoked. IP 17 Section 4 (5). The department must also include a record of each firearm purchased by a permit holder from a gun dealer in the permit record. IP 17 Section 6(7).

To purchase a gun from a licensed gun dealer, a private party through a gun dealer, or from a private party at a gun show, the purchaser must present a valid permit. IP 17 Sections 6-9. The gun dealer or private party at a gun show must verify that the permit is valid. IP 17 Section 6(2)(d); 8(2). In addition, unlike the process under current law, IP 17 requires a gun dealer to receive approval from the state police based on a completed criminal background check before he/she may transfer the firearm. IP 17 Section 6(3)(c).

2. Prohibition of “large-capacity magazines”

IP 17 defines “large-capacity magazine” as a “fixed or detachable magazine, belt, drum, feed strip, helical feeding device, or similar device, including any such device joined or coupled with another in any manner, or a kit with such parts,” that has a capacity of “more than 10 rounds of ammunition and allows a shooter to keep firing without having to pause to reload[.]” IP 17 Section 11.

IP 17 prohibits the “manufacture, importation, possession, use, purchase, sale or otherwise transferring” of “large-capacity magazines.” IP 17 Section 11(2). It provides exceptions for law enforcement and the armed forces, and manufacturers who provide such magazines to law enforcement or the armed forces. IP 17 Section 11(4). It also provides for an “affirmative defense” to a charge of violation of the IP for persons who own large-capacity magazines prior to the date that the IP takes effect or who inherit them after the effective date. IP 17 Section 11(4). Additionally, gun dealers that carry large-capacity magazines in stock on the effective date of the measure are allowed 180 days to transfer them out of state or render them incapable of accepting more than ten rounds. IP 17 Section 11(3). Manufacturers who have a contract for “large capacity magazines” in effect as of the effective date of IP 17, may fulfill the contract provided that the manufacturing is completed within 180 days of the effective date. IP 17, Section 11(4)(1). Violation of the prohibition on large-capacity magazines is a Class A misdemeanor. IP 17 Section 11(6).

D. The caption

The caption of a ballot title is limited to fifteen words, and must “reasonably identif[y] the subject matter of the state measure.” ORS 250.035(2)(a). The draft ballot title contains the following caption:

Requires permit to acquire firearms; creates permit database; prohibits ammunition magazines over ten rounds; exceptions

To meet the applicable statutory standard, case law requires that the caption “state or describe the proposed measure’s subject matter ‘accurately and in terms that will not confuse or

mislead potential petition signers and voters.” *Kain/Waller v. Myers*, 337 Or 36, 40, 93 P3d 62 (2004), quoting *Greene v. Kulongoski*, 322 Or 169, 174–75, 903 P2d 366 (1995). “Subject matter,” refers to the “actual major effect” of a measure or, if the measure has more than one major effect, all such effects (to the limit of the available words). See, e.g., *Terhune v. Myers*, 342 Or 475, 480, 154 P3d 1284 (2007) (so holding).

The caption must “inform potential petition signers and voters of the sweep of the measure.” *Terhune*, 342 Or at 479. In identifying the “principal effect” or “actual major effect” of the proposed measure, *id.*, the caption must not be inaccurate or underinclusive. *Hunnicut v. Myers*, 342 Or 491, 495, 155 P3d 870 (2007). Yet, with those requirements, “[t]he Caption is not meant to serve as a comprehensive statement of the measure’s effects.” *Carson v. Myers*, 326 Or 248, 254, 951 P2d 700 (1998).

Commenters Poss, Donheffner, and Stephenson each contend that the caption is inaccurate because it states that the measure “prohibits” ammunition magazines over ten rounds, when IP 17 in fact criminalizes the possession or use of such magazines and requires persons to assert an affirmative defense to a charge under the measure. Commenters Cushing and Starrett make similar comments. We have modified the caption to clarify that the measure “criminally prohibits” certain ammunition magazines. See *Beyer v. Rosenblum*, 363 Or 157, 165 n 6, 363 Or 157 (2018) (actual major effect of measure was to criminalize possession and transfer of many semiautomatic weapons, as well as magazines over ten rounds).¹

Commenters Poss and Donheffner also generally contend that the ballot title should inform voters that the permit system allows law enforcement officials to deny or revoke a permit based on their beliefs regarding the applicant or permit holder’s mental state, and that the measure could result in lengthy delays in obtaining a permit or firearm. But information regarding the permit timeline and right to appeal is included in the summary. We have, however, modified the summary to include additional information regarding potential bases for permit denial.

Commenter Fithian does not object to any specific part of the ballot title, but writes that the ballot title should include information about the “associated costs to administer” the measure. Commenter Stephenson makes a similar comment. We disagree that that is a major effect of the measure and decline to modify the ballot title.

Commenter Flesch comments that the words “acquire” and “exceptions” are “too vague to adequately inform voters of the substance of the measure.” We disagree that “acquire,” which means to obtain an asset or object, is vague in the context of the caption, and informs voters that the measure requires a permit to acquire or obtain a firearm. In addition, we note that the caption is limited to 15 words under ORS 250.035(2)(a), and therefore it is appropriate to signal that the measure has exceptions that are described more fully, to the extent possible given the associated word limits, in the remainder of the ballot title. *Beyer*, 363 Or at 172 n 12. In any event, as explained below, we have removed the word “exceptions” from the caption.

¹ The court referred the caption to the Attorney General for modification. *Beyer*, 363 Or at 171. The Chief Petitioners ultimately withdrew the initiative and, thus, there is no opinion approving or disapproving a subsequent ballot title.

Commenter Beyer first comments that the caption is inaccurate because IP 17 limits ammunition magazines “that can be readily restored, changed, or converted to accept, more than 10 rounds of ammunition.” IP 17 Section 11(1)(d). In Beyer’s view, “nearly any” magazine is capable of holding 10 rounds or more because it can be changed or converted, and thus the initiative “impacts a much broader category of magazines than those indicated by the proposed ballot title.” Commenter Ramsdal makes a similar comment. We have modified the caption to state that “certain” ammunition magazines are prohibited and expanded the explanation in the summary. *See Beyer v. Rosenblum*, 363 Or at 172 n12 (approving use of “certain” in ballot title as general reference to individuals specifically defined in measure).

Commenter Beyer also writes that the caption fails to inform voters of what he contends is a major effect of the measure: it will prohibit marijuana users from possessing or receiving firearms, because, he argues, they will be unable to obtain a permit because they are in violation of federal law. Because he also states that marijuana users are already prohibited from possessing a firearm, we conclude that he is not purporting to identify a way in which the measure changes current law.

Finally, Commenter Beyer objects that the caption fails to inform voters that the measure requires the Oregon State Police to maintain a registry of firearms owned by all permit holders, that it prohibits gun dealers from transferring a firearm until they receive a response from the background check system, and that applicants will have to pay a fee for the permit. Commenters Poss, Donheffner, Ramsdal, Cushing and Stepheson make similar comments. Chief Petitioners also state that, if word space were available, the caption should reference the requirement that background checks actually be completed before a transfer could occur. Given available space, we believe it is appropriate to treat the change in law requiring that background checks be completed, and the establishment of fees for the new permits, as secondary effects of the measure. They are described in other parts of the ballot title. However, we agree that the requirement that the department include a record of each firearm purchase in the permit record constitutes a major effect and have modified the caption accordingly. In order to make that change, we have removed the word “exceptions,” as the exceptions mostly relate to the use of firearms by authorized government agents such as the police and armed forces. We think voters are unlikely to assume that such public uses of firearms are regulated by the measure, and exceptions for private actors are narrow. Consequently, we conclude that addressing exceptions in other parts of the ballot title is appropriate.

Commenter Cushing writes that the caption should inform voters that the measure will require owners of ammunition magazines with a capacity over 10 rounds to destroy them. But the measure provides an affirmative defense to its criminal prohibitions for magazines owned before the measure becomes effective.

Commenter Starrett writes that the caption should inform voters that the permitting system enacted by the measure is new, unconnected to the permitting system for concealed handguns, and will be administered by local police with potentially overlapping jurisdictions. He contends that voters might be “confused” and believe that concealed handgun permits would qualify them to purchase guns under the measure. We disagree that the caption suggests that a concealed handgun permit would qualify as a permit under the measure. The caption, as modified below, adequately informs voters that the measure will require a permit to acquire firearms. The required permit is described more fully in the remainder of the ballot title.

We certify the following caption:

Requires permit to acquire firearms; police maintain permit/firearm database; criminally prohibits certain ammunition magazines

E. The results statements.

We next consider the draft “yes” and “no” vote result statements.

A ballot title must include “[a] simple and understandable statement of not more than 25 words that describes the result if the state measure is approved.” ORS 250.035(2)(b). The “yes” vote result statement should identify “the most significant and immediate” effects of the measure. *Novick/Crew v. Myers*, 337 Or 568, 574, 100 P3d 1064 (2004). The draft “yes” vote result statement provides:

Result of “Yes” Vote: “Yes” vote requires permit, completed background check, safety training, fee to acquire firearms; creates state permit database; prohibits ammunition magazines over ten rounds; exceptions.

A ballot title also must include “[a] simple and understandable statement of not more than 25 words that describes the result if the state measure is rejected.” ORS 250.035(2)(c). The “no” vote result statement “should ‘address the substance of current law *on the subject matter of the proposed measure*’ and ‘summarize the current law accurately.’” *McCann v. Rosenblum*, 354 Or 701, 707, 320 P3d 548 (2014) (quoting *Novick/Crew*, 337 Or at 577) (emphasis added in *Novick/Crew*; alterations omitted). The draft “no” vote result statement provides:

Result of “No” Vote: “No” vote retains current law: seller/ transferor to request criminal background check; permit, safety course not required; no magazine capacity restrictions.

Each of the commenters repeats the criticisms raised as to the caption, and we have modified the result statements or declined to modify them as set out above. In addition, we disagree with Commenter Starrett that the “no” result statement should inform voters that the requirements listed for the proposed permits are currently required in order to obtain a concealed handgun license. The measure does not purport to change any aspect of the law governing what is required in order to carry a handgun in a concealed manner, and we believe that including information about those requirements is more likely to cause confusion than advance understanding. However, in the sentence “seller/transferor to request criminal background check,” we have changed the word “to” to “must” for clarity.

In addition, Chief Petitioners write that the “yes” result statement should inform voters that the permit will last for five years, and the wording of the statement might lead voters to believe that they will need a new permit each time they wish to purchase a firearm. Word limits prevent the inclusion of information regarding the length of a permit’s validity, but that information is included in the summary. Further, the modifications we have made to the “yes” result statement should avoid confusion that multiple permits will be required.

We certify the following “yes” and “no” result statements:

Result of “Yes” Vote: “Yes” vote requires background check, safety training, fee for permit to acquire firearms; state police maintain new permit/ firearm database; criminally prohibits certain magazines; exceptions.

Result of “No” Statement: “No” vote retains current law: seller/ transferor must request criminal background check; permit, safety course not required; no magazine capacity restrictions.

As revised, we certify the result statements.

F. The summary

ORS 250.035(2)(d) requires a “concise and impartial statement of not more than 125 words summarizing the state measure and its major effect.” “The purpose of a ballot title’s summary is to give voters enough information to understand what will happen if the initiative is adopted.” *McCann v. Rosenblum*, 354 Or 701, 709, 320 P3d 548 (2014). The draft summary provides:

Oregon law currently allows persons over age 18 to acquire firearms (federal law requires age 21 for some handgun purchases), seller/ transferor to request criminal background check. No permit or safety course required; no limits on capacity of ammunition magazines. Measure requires permit from local law enforcement to acquire firearm; person must pay fee, submit photo ID, fingerprints, complete approved safety training, pass criminal background check, not be prohibited from possessing firearms. Permit issued within 30 days, valid 5 years. May appeal permit denial. State Police creates/ maintains permit database. First violation misdemeanor; additional violation felony. Prohibits magazines that can contain more than 10 rounds of ammunition. Exceptions for law enforcement, armed forces, and magazines owned on or before measure’s effective date. Other provisions.

The commenters largely reiterate the criticisms raised as to the caption and result statements, and we have modified the summary or declined to modify the summary as set out above, including adding further description of what magazines are affected by the measure. In addition, Commenter Jitloff and Chief Petitioners write that the phrase “First violation misdemeanor; additional violation felony” is unclear. We have modified the summary to refer only to “criminal penalties,” and moved it to the end of the summary to reflect that criminal penalties apply to the magazine prohibition as well as other provisions in the measure. We have also removed the second sentence regarding current law in order to save words to accommodate other changes.

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We certify the following summary:

Oregon law currently allows persons over age 18 to acquire firearms (federal law requires age 21 for some handgun purchases), seller/ transferor must request criminal background check. Measure requires permit from local law enforcement to acquire firearm; person must pay fee, submit photo ID, fingerprints, complete approved safety training, pass criminal background check, not be prohibited from possessing firearms; officer may deny permit to person believed danger to self or others. Permit issued within 30 days, valid 5 years. Permit denials appealable. Must present permit, pass background check to acquire firearm. State Police creates/ maintains permit/ firearm database. Magazines over 10 rounds, or readily modifiable to exceed 10 rounds, prohibited; exception for current owners /inheritors. Exceptions for law enforcement, armed forces. Criminal penalties. Other provisions.

G. Conclusion

We certify the attached ballot title.

Sincerely,

/s/ Shannon T. Reel

Shannon T. Reel
Assistant Attorney General
shannon.t.reel@doj.state.or.us

Enclosure

Sent via email

Michael Ramsdal	Paul Donheffner
Brian Jitloff	Roger Beyer
Terry Martin	Dan Cushing
Stephen D. Poss	Mike Stephenson
Dale Fithian	Eric C. Winters
Casey Flesch	Margaret S. Olney
	No name listed

Certified by Attorney General on July 26, 2021.

/s/ Shannon T. Reel
Assistant Attorney General

BALLOT TITLE

Requires permit to acquire firearms; police maintain permit/firearm database; criminally prohibits certain ammunition magazines

Result of “Yes” Vote: “Yes” vote requires background check, safety training, fee for permit to acquire firearms; state police maintain new permit/ firearm database; criminally prohibits certain magazines; exceptions.

Result of “No” Vote: “No” vote retains current law: seller/ transferor must request criminal background check; permit, safety course not required; no magazine capacity restrictions.

Summary: Oregon law currently allows persons over age 18 to acquire firearms (federal law requires age 21 for some handgun purchases), seller/ transferor must request criminal background check. Measure requires permit from local law enforcement to acquire firearm; person must pay fee, submit photo ID, fingerprints, complete approved safety training, pass criminal background check, not be prohibited from possessing firearms; officer may deny permit to person believed danger to self or others. Permit issued within 30 days, valid 5 years. Permit denials appealable. Must present permit, pass background check to acquire firearm. State Police creates/ maintains permit/ firearm database. Magazines over 10 rounds, or readily modifiable to exceed 10 rounds, prohibited; exception for current owners /inheritors. Exceptions for law enforcement, armed forces. Criminal penalties. Other provisions.