

## A-Engrossed Senate Bill 243

Ordered by the Senate April 23  
Including Senate Amendments dated April 23

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary)

### 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. The statement includes a measure digest written in compliance with applicable readability standards.

**Digest: The Act requires gun dealers to wait 72 hours before giving a gun or certain unfinished gun parts to a buyer. The Act also creates two new rapid fire activator crimes and changes the public areas where a person with a CHL can possess a gun. The Act takes effect on the 91st day after sine die. (Flesch Readability Score: 70.2).**

*[Digest: The Act directs the Department of State Police to study background checks for gun transfers. (Flesch Readability Score: 67.5).]*

*[Requires the Department of State Police to study the efficiency of firearm transfer criminal background checks. Directs the department to submit findings to the interim committees of the Legislative Assembly related to the judiciary not later than September 15, 2026.]*

*[Sunsets on January 2, 2027.]*

**Prohibits a gun dealer from transferring a firearm or unfinished frame or receiver until 72 hours have elapsed from the time the gun dealer requested a criminal background check, and the gun dealer has received the background check approval number from the Department of State Police.**

**Creates the crime of unlawful transport, manufacture or transfer of a rapid fire activator. Punishes by a maximum of 10 years' imprisonment, \$250,000 fine, or both. Creates the crime of unlawful possession of a rapid fire activator. Punishes by a maximum of 364 days' imprisonment, \$6,250 fine, or both. Specifies exceptions for both crimes.**

**Authorizes the governing body of a city or county that owns or controls a public building to limit the affirmative defense for concealed handgun licensees for possessing a firearm in the public building. Authorizes the governing body of a metropolitan service district to limit the affirmative defense for concealed handgun licensees for possessing a firearm in a metropolitan zoo facility and adjacent grounds. Provides that in a prosecution for possessing a firearm in a building or on grounds subject to such limit, the concealed handgun licensee affirmative defense is not a complete defense, but results in a Class A misdemeanor conviction punishable by 364 days' imprisonment, \$6,250 fine, or both.**

**Takes effect on the 91st day following adjournment sine die.**

### A BILL FOR AN ACT

Relating to firearms; creating new provisions; amending ORS 166.262, 166.360, 166.370, 166.377 and 166.412; and prescribing an effective date.

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

### SHORT TITLE

**SECTION 1. Section 3 of this 2025 Act and the amendments to ORS 166.262, 166.360, 166.370, 166.377 and 166.412 by sections 2 and 4 to 7 of this 2025 Act shall be known and may be cited as the "Oregon Suicide Prevention and Community Safety Firearms Act."**

### DEALER PURCHASE WAITING PERIOD

**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.

**SECTION 2.** ORS 166.412 is amended to read:

166.412. (1) As used in this section:

(a) “Antique firearm” has the meaning given that term in 18 U.S.C. 921;

(b) “Department” means the Department of State Police;

(c) “Firearm” has the meaning given that term in ORS 166.210, except that it does not include an antique firearm;

(d) “Firearms transaction record” means the firearms transaction record required by 18 U.S.C. 921 to 929;

(e) “Firearms transaction thumbprint form” means a form provided by the department under subsection (11) of this section;

(f) “Gun dealer” means a person engaged in the business, as defined in 18 U.S.C. 921, of selling, leasing or otherwise transferring a firearm, whether the person is a retail dealer, pawnbroker or otherwise;

(g) “Purchaser” means a person who buys, leases or otherwise receives a firearm or unfinished frame or receiver from a gun dealer; and

(h) “Unfinished frame or receiver” has the meaning given that term in ORS 166.210.

(2) Except as provided in subsection (12) of this section, a gun dealer shall comply with the following before a firearm or unfinished frame or receiver is delivered to a purchaser:

(a) The purchaser shall present to the gun dealer current identification meeting the requirements of subsection (4) of this section and a valid permit issued under ORS 166.505.

(b) The gun dealer shall complete the firearms transaction record and obtain the signature of the purchaser on the record.

(c) The gun dealer shall obtain the thumbprints of the purchaser on the firearms transaction thumbprint form and attach the form to the gun dealer’s copy of the firearms transaction record to be filed with that copy.

(d) The gun dealer shall, by telephone or computer, verify that the purchaser has a valid *[permit-to-purchase]* **permit to purchase** a firearm issued under ORS 166.505, and request that the department conduct a criminal history record check on the purchaser and shall provide the following information to the department:

(A) The federal firearms license number of the gun dealer;

(B) The business name of the gun dealer;

(C) The place of transfer;

(D) The name of the person making the transfer;

(E) The make, model, caliber and manufacturer’s number of the firearm being transferred or a description of the unfinished frame or receiver being transferred;

(F) The name and date of birth of the purchaser;

(G) The Social Security number of the purchaser if the purchaser voluntarily provides this number to the gun dealer; and

(H) The type, issuer and identification number of the identification presented by the purchaser.

(e) The gun dealer shall receive a unique approval number for the transfer from the department and record the approval number on the firearms transaction record and on the firearms transaction thumbprint form.

(f) The gun dealer may destroy the firearms transaction thumbprint form five years after the completion of the firearms transaction thumbprint form.

(3)(a) Upon receipt of a request of the gun dealer for a criminal history record check, the de-

1 partment shall immediately, during the gun dealer's telephone call or by return call:

2 (A) Determine, from criminal records and other information available to it, whether the pur-  
3 chaser is disqualified under ORS 166.470 from completing the purchase; and

4 (B) Notify the gun dealer when a purchaser is disqualified from completing the transfer or pro-  
5 vide the gun dealer with a unique approval number indicating that the purchaser is qualified to  
6 complete the transfer.

7 (b) If the department is unable to determine **within 30 minutes** if the purchaser is qualified or  
8 disqualified from completing the transfer [*within 30 minutes*], the department shall notify the gun  
9 dealer and provide the gun dealer with an estimate of the time when the department will provide  
10 the requested information.

11 (c) The **gun** dealer may not transfer the firearm or unfinished frame or receiver unless [*the*  
12 *dealer receives a unique approval number from the department and,*]:

13 (A) **At least 72 hours have elapsed from the time at which the gun dealer requested the**  
14 **criminal background check; and**

15 (B) **The gun dealer has received a unique approval number from the department indicat-**  
16 **ing that the purchaser is qualified to complete the transfer.**

17 (d) Within 48 hours of completing the transfer, the **gun** dealer shall notify the [*state*] **depart-**  
18 **ment** that the transfer to the permit holder was completed.

19 (4)(a) Identification required of the purchaser under subsection (2) of this section shall include  
20 one piece of current identification bearing a photograph and the date of birth of the purchaser that:

21 (A) Is issued under the authority of the United States Government, a state, a political subdivi-  
22 sion of a state, a foreign government, a political subdivision of a foreign government, an interna-  
23 tional governmental organization or an international quasi-governmental organization; and

24 (B) Is intended to be used for identification of an individual or is commonly accepted for the  
25 purpose of identification of an individual.

26 (b) If the identification presented by the purchaser under paragraph (a) of this subsection does  
27 not include the current address of the purchaser, the purchaser shall present a second piece of  
28 current identification that contains the current address of the purchaser. The Superintendent of  
29 State Police may specify by rule the type of identification that may be presented under this para-  
30 graph.

31 (c) The department may require that the gun dealer verify the identification of the purchaser if  
32 that identity is in question by sending the thumbprints of the purchaser to the department.

33 (5) The department shall establish a telephone number that shall be operational seven days a  
34 week between the hours of 8 a.m. and 10 p.m. for the purpose of responding to inquiries from gun  
35 dealers for a criminal history record check under this section.

36 (6) No public employee, official or agency shall be held criminally or civilly liable for performing  
37 the investigations required by this section provided the employee, official or agency acts in good  
38 faith and without malice.

39 (7)(a) The department may retain a record of the information obtained during a request for a  
40 criminal history record check for no more than five years, except for the information provided to  
41 the **gun** dealer under subsection (2)(d) of this section, sufficient to reflect each firearm or unfinished  
42 frame or receiver purchased by a permit holder, which must be attached to the electronic record  
43 of the permit stored by the department. The department may develop a system for removal of the  
44 information in subsection (2)(d)(E) of this section, upon proof of sale or transfer of the firearm or  
45 unfinished frame or receiver to another permit holder and for recording of the information to reflect

1 the transfer of ownership to the permit of the new owner.

2 (b) The record of the information obtained during a request for a criminal history record check  
3 by a gun dealer is exempt from disclosure under public records law.

4 (c) If the department determines that a purchaser is prohibited from possessing a firearm under  
5 ORS 166.250 (1)(c), the department shall report the attempted transfer, the purchaser's name and any  
6 other personally identifiable information to all federal, state and local law enforcement agencies and  
7 district attorneys that have jurisdiction over the location or locations where the attempted transfer  
8 was made and where the purchaser resides.

9 (d) If the department determines that, based on the judgment of conviction, the purchaser is  
10 prohibited from possessing a firearm as a condition of probation or that the purchaser is currently  
11 on post-prison supervision or parole, the department shall report the attempted transfer to the  
12 purchaser's supervising officer and the district attorney of the county in which the conviction oc-  
13 curred.

14 (e) If the department determines that the purchaser is prohibited from possessing a firearm due  
15 to a court order described in ORS 166.255 (1)(a), the department shall report the attempted transfer  
16 to the court that issued the order.

17 (f) If the department determines that the purchaser is under the jurisdiction of the Psychiatric  
18 Security Review Board, the department shall report the attempted transfer to the board.

19 (g) Reports required by paragraphs (c) to (f) of this subsection shall be made within 24 hours  
20 after the determination is made, unless a report would compromise an ongoing investigation, in  
21 which case the report may be delayed as long as necessary to avoid compromising the investigation.

22 (h) On or before January 31 of each year, a law enforcement agency or a prosecuting attorney's  
23 office that received a report pursuant to paragraph (c) of this subsection during the previous cal-  
24 endar year shall inform the department of any action that was taken concerning the report and the  
25 outcome of the action.

26 (i) The department shall annually publish a written report, based on any information received  
27 under paragraph (h) of this subsection, detailing the following information for the previous year:

28 (A) The number of purchasers whom the department determined were prohibited from possessing  
29 a firearm under ORS 166.250 (1)(c), arranged by category of prohibition;

30 (B) The number of reports made pursuant to paragraph (c) of this subsection;

31 (C) The number of investigations arising from the reports made pursuant to paragraph (c) of this  
32 subsection, the number of investigations concluded and the number of investigations referred for  
33 prosecution, all arranged by category of prohibition; and

34 (D) The number of criminal charges arising from the reports made pursuant to paragraph (c) of  
35 this subsection and the disposition of the charges, both arranged by category of prohibition.

36 (8) A law enforcement agency may inspect the records of a gun dealer relating to transfers of  
37 firearms and unfinished frames or receivers with the consent of a gun dealer in the course of a  
38 reasonable inquiry during a criminal investigation or under the authority of a properly authorized  
39 subpoena or search warrant.

40 (9) When a firearm is delivered, it shall be unloaded.

41 (10) In accordance with applicable provisions of ORS chapter 183, the Superintendent of State  
42 Police may adopt rules necessary for:

43 (a) The design of the firearms transaction thumbprint form;

44 (b) The maintenance of a procedure to correct errors in the criminal records of the department;

45 (c) The provision of a security system to identify gun dealers that request a criminal history

record check under subsection (2) of this section; and

(d) The creation and maintenance of a database of the business hours of gun dealers.

(11) The department shall publish the firearms transaction thumbprint form and shall furnish the form to gun dealers on application at cost.

(12) This section does not apply to transactions between persons licensed as dealers under 18 U.S.C. 923.

(13)(a) If requested by a transferor who is not a gun dealer, a gun dealer may request a criminal background check pursuant to ORS 166.435 or 166.438 and may charge a reasonable fee for providing the service.

(b) A gun dealer that requests a criminal background check under this subsection is immune from civil liability for any use of the firearm or unfinished frame or receiver by the *[recipient or transferee]* **purchaser**, provided that the gun dealer:

(A) Requests the criminal background check as described in this section *[and also provided that the dealer];*

(B) **Receives a unique approval number from the department indicating that the purchaser is qualified to complete the transfer;**

(C) **Allows at least 72 hours to elapse between the request for the criminal background check and the transfer of the firearm or unfinished frame or receiver; and**

(D) Verifies that the *[recipient]* **purchaser** has a valid *[permit-to-purchase]* **permit to purchase** the firearm or unfinished frame or receiver *[and the dealer has received a unique approval number from the department indicating successful completion of the background check].*

(14) Knowingly selling or delivering a firearm or unfinished frame or receiver to a purchaser *[or transferee]* who does not have a valid *[permit-to-purchase]* **permit to purchase** a firearm in violation of subsection (2)(d) of this section, or prior to receiving a unique approval number from the department based on the criminal background check in violation of subsection (3)(c) of this section, is a Class A misdemeanor.

## RAPID FIRE ACTIVATORS

**SECTION 3. (1) A person commits the crime of unlawful transport, manufacture or transfer of a rapid fire activator if the person knowingly:**

(a) **Transports a rapid fire activator into this state; or**

(b) **Manufactures, sells, offers to sell or transfers a rapid fire activator.**

**(2) A person commits the crime of unlawful possession of a rapid fire activator if the person knowingly possesses, purchases or receives a rapid fire activator.**

**(3)(a) Unlawful transport, manufacture or transfer of a rapid fire activator is a Class B felony.**

**(b) Unlawful possession of a rapid fire activator is a Class A misdemeanor.**

**(4) This section does not apply to:**

(a) **A peace officer, or other person employed by a law enforcement agency, who possesses a rapid fire activator in accordance with authorization given to the peace officer or other person by the law enforcement agency.**

(b) **A person who has registered a machine gun in accordance with federal law and the rapid fire activator is possessed for use only in, and is necessary for the proper function of, the lawfully registered machine gun.**

(5) As used in this section:

(a) “Binary trigger system” means a device that, when built into, installed in or attached to a firearm, allows the firearm to fire both when the trigger is pulled or depressed and when the trigger is released.

(b) “Bump stock” means a device that, when built into, installed in or attached to a firearm, increases the rate of fire of the firearm by using energy from the recoil of the firearm to generate a reciprocating action that facilitates repeated activation of the trigger.

(c) “Burst trigger system” means a device that, when built into, installed in or attached to a firearm, allows the firearm to discharge two or more rounds with a single pull or depression of the trigger by altering the trigger reset.

(d) “Firearm” has the meaning given that term in ORS 166.210.

(e) “Forced reset trigger” means a device that, when built into, installed in or attached to a firearm, mechanically forces the trigger to reset into a firing position after each round is fired.

(f) “Hellfire trigger” means a device that, when built into, installed in or attached to a firearm, disengages the trigger return spring when the trigger is pulled or depressed.

(g) “Machine gun” has the meaning given that term in ORS 166.210.

(h) “Peace officer” has the meaning given that term in ORS 133.005.

(i)(A) “Rapid fire activator” means any device, including a removable manual or power-driven device, part or combination of parts, constructed so that, when built into, installed on or attached to a firearm:

(i) The rate at which the trigger is activated increases to a faster rate than is possible for the firearm without the device; or

(ii) The rate of fire increases to a faster rate than is possible for a person to fire the firearm without the device.

(B) “Rapid fire activator” includes, but is not limited to, a bump stock, forced reset trigger, trigger crank, hellfire trigger, binary trigger system, burst trigger system, switch, auto sear or a copy or similar device, regardless of the producer or manufacturer.

(j) “Switch” or “auto sear” means a device that, when built into, installed in or attached to a firearm, applies force to a firearm’s trigger bar to prevent the bar from limiting the weapon to firing only one round each time the trigger is pulled or depressed.

(k) “Trigger crank” means a device that, when built into, installed in or attached to a firearm, repeatedly activates the trigger of the firearm through the use of a crank, level or any other part that is turned in a circular motion.

## PUBLIC AREA RESTRICTIONS

**SECTION 4.** ORS 166.360 is amended to read:

166.360. As used in ORS 166.360 to 166.380, unless the context requires otherwise:

(1) “Capitol building” means the Capitol, the State Office Building, the State Library Building, the Labor and Industries Building, the State Transportation Building, the Agriculture Building or the Public Service Building and includes any new buildings which may be constructed on the same grounds as an addition to the group of buildings listed in this subsection.

(2) “Court facility” means a courthouse or that portion of any other building occupied by a circuit court, the Court of Appeals, the Supreme Court or the Oregon Tax Court or occupied by

1 personnel related to the operations of those courts, or in which activities related to the operations  
2 of those courts take place.

3 (3) "Judge" means a judge of a circuit court, the Court of Appeals, the Supreme Court, the  
4 Oregon Tax Court, a municipal court, a probate court or a juvenile court or a justice of the peace.

5 (4) "Judicial district" means a circuit court district established under ORS 3.012 or a justice of  
6 the peace district established under ORS 51.020.

7 (5) "Juvenile court" has the meaning given that term in ORS 419A.004.

8 (6) "Loaded firearm" means:

9 (a) A breech-loading firearm in which there is an unexpended cartridge or shell in or attached  
10 to the firearm including but not limited to, in a chamber, magazine or clip which is attached to the  
11 firearm.

12 (b) A muzzle-loading firearm which is capped or primed and has a powder charge and ball, shot  
13 or projectile in the barrel or cylinder.

14 (7) "Local court facility" means the portion of a building in which a justice court, a municipal  
15 court, a probate court or a juvenile court conducts business, during the hours in which the court  
16 operates.

17 (8) "Probate court" has the meaning given that term in ORS 111.005.

18 (9) "Public building" means:

19 (a) A hospital, a capitol building, a public or private school, as defined in ORS 339.315, a college  
20 or university, a city hall or the residence of any state official elected by the state at large, and the  
21 grounds adjacent to each such building. The term also includes that portion of any other building  
22 occupied by an agency of the state or by a city, a county, a district as defined in ORS 198.010 or  
23 any other entity that falls within the definition of "municipal corporation" in ORS 297.405, other  
24 than a court facility, **and the grounds adjacent to each such building;** or

25 (b) The passenger terminal of a commercial service airport with over one million passenger  
26 boardings per year.

27 (10) "Weapon" means:

28 (a) A firearm;

29 (b) Any dirk, dagger, ice pick, slingshot, metal knuckles or any similar instrument or a knife,  
30 other than an ordinary pocketknife with a blade less than four inches in length, the use of which  
31 could inflict injury upon a person or property;

32 (c) Mace, tear gas, pepper mace or any similar deleterious agent as defined in ORS 163.211;

33 (d) An electrical stun gun or any similar instrument;

34 (e) A tear gas weapon as defined in ORS 163.211;

35 (f) A club, bat, baton, billy club, bludgeon, knobkerrie, nunchaku, nightstick, truncheon or any  
36 similar instrument, the use of which could inflict injury upon a person or property; or

37 (g) A dangerous or deadly weapon as those terms are defined in ORS 161.015.

38 **SECTION 5.** ORS 166.370 is amended to read:

39 166.370. (1)(a) Any person who intentionally possesses a loaded or unloaded firearm or any other  
40 instrument used as a dangerous weapon, while in or on a public building, shall upon conviction be  
41 guilty of a Class C felony.

42 (b) Notwithstanding paragraph (a) of this subsection, in a prosecution under this section for the  
43 possession of a firearm within the Capitol, within the passenger terminal of a commercial service  
44 airport with over one million passenger boardings per year, **within a building and adjacent**  
45 **grounds subject to a policy described in ORS 166.377** or on school grounds subject to a policy

1 described in ORS 166.377, if the person proves by a preponderance of the evidence that, at the time  
 2 of the possession, the person was licensed under ORS 166.291 and 166.292 to carry a concealed  
 3 handgun, upon conviction the person is guilty of a Class A misdemeanor.

4 (2)(a) Except as otherwise provided in paragraph (b) of this subsection, a person who inten-  
 5 tionally possesses:

6 (A) A firearm in a court facility is guilty, upon conviction, of a Class C felony. A person who  
 7 intentionally possesses a firearm in a court facility shall surrender the firearm to a law enforcement  
 8 officer.

9 (B) A weapon, other than a firearm, in a court facility may be required to surrender the weapon  
 10 to a law enforcement officer or to immediately remove it from the court facility. A person who fails  
 11 to comply with this subparagraph is guilty, upon conviction, of a Class C felony.

12 (C) A firearm in a local court facility is guilty, upon conviction, of a Class C felony if, prior to  
 13 the offense, the presiding judge of the local court facility entered an order prohibiting firearms in  
 14 the area in which the court conducts business and during the hours in which the court operates.

15 (b) The presiding judge of a judicial district or a municipal court may enter an order permitting  
 16 the possession of specified weapons in a court facility.

17 (c) Within a shared court facility, the presiding judge of a municipal court or justice of the  
 18 peace district may not enter an order concerning the possession of weapons in the court facility that  
 19 is in conflict with an order entered by the presiding judge of the circuit court.

20 (3) Subsection (1)(a) of this section does not apply to:

21 (a) A police officer or reserve officer, as those terms are defined in ORS 181A.355.

22 (b) A parole and probation officer, as defined in ORS 181A.355, while the parole and probation  
 23 officer is acting within the scope of employment.

24 (c) A federal officer, as defined in ORS 133.005, or a certified reserve officer or corrections of-  
 25 ficer, as those terms are defined in ORS 181A.355, while the federal officer, certified reserve officer  
 26 or corrections officer is acting within the scope of employment.

27 (d) A person summoned by an officer described in paragraph (a), (b) or (c) of this subsection to  
 28 assist in making an arrest or preserving the peace, while the summoned person is engaged in as-  
 29 sisting the officer.

30 (e) An honorably retired law enforcement officer.

31 (f) An active or reserve member of the military forces of this state or the United States, when  
 32 engaged in the performance of duty.

33 (g) A person who is licensed under ORS 166.291 and 166.292 to carry a concealed handgun, ex-  
 34 cept as provided in subsection (1)(b) of this section.

35 (h) A person who is authorized by the officer or agency that controls the public building to  
 36 possess a firearm or dangerous weapon in that public building.

37 (i) An employee of the United States Department of Agriculture, acting within the scope of em-  
 38 ployment, who possesses a firearm in the course of the lawful taking of wildlife.

39 (j) Possession of a firearm on school property if the firearm:

40 (A) Is possessed by a person who is not otherwise prohibited from possessing the firearm; and

41 (B) Is unloaded and locked in a motor vehicle.

42 (k) A person who possesses a firearm in the passenger terminal of a commercial service airport,  
 43 if the firearm is unloaded and in a locked hard-sided container for the purposes of transporting the  
 44 firearm as checked baggage in accordance with federal law.

45 (4)(a) Except as provided in subsection (1)(b) of this section, the exceptions listed in subsection

(3)(d) to (k) of this section constitute affirmative defenses to a charge of violating subsection (1)(a) of this section.

(b) A person may not use the affirmative defense described in subsection (3)(e) of this section if the person has been convicted of an offense that would make the person ineligible to obtain a concealed handgun license under ORS 166.291 and 166.292.

(5)(a) Any person who knowingly, or with reckless disregard for the safety of another, discharges or attempts to discharge a firearm at a place that the person knows is a school shall upon conviction be guilty of a Class C felony.

(b) Paragraph (a) of this subsection does not apply to the discharge of a firearm:

(A) As part of a program approved by a school in the school by an individual who is participating in the program;

(B) By a law enforcement officer acting in the officer's official capacity; or

(C) By an employee of the United States Department of Agriculture, acting within the scope of employment, in the course of the lawful taking of wildlife.

(6) Any weapon carried in violation of this section is subject to the forfeiture provisions of ORS 166.279.

(7) Notwithstanding the fact that a person's conduct in a single criminal episode constitutes a violation of both subsections (1) and (5) of this section, the district attorney may charge the person with only one of the offenses.

(8) As used in this section, "dangerous weapon" means a dangerous weapon as that term is defined in ORS 161.015.

**SECTION 6.** ORS 166.377 is amended to read:

166.377. (1) The governing board of a public university listed in ORS 352.002, the Oregon Health and Science University Board of Directors, the governing board of a community college or a district school board as defined in ORS 332.002 may adopt a policy providing that the affirmative defense described in ORS 166.370 (3)(g), concerning persons licensed to carry a concealed handgun under ORS 166.291 and 166.292, does not apply to the possession of firearms on the grounds of the schools controlled by the board.

(2) A board that adopts a policy under **subsection (1) of** this section shall:

(a) Post a clearly visible sign, at all normal points of entry to the school grounds subject to the policy described in subsection (1) of this section, indicating that the affirmative defense described in ORS 166.370 (3)(g) does not apply.

(b) Post a notice on the board's website identifying all school grounds subject to the policy described in subsection (1) of this section.

**(3)(a) The governing body of a city or county may adopt a policy, ordinance or regulation providing that the affirmative defense described in ORS 166.370 (3)(g), concerning persons licensed to carry a concealed handgun under ORS 166.291 and 166.292, does not apply to the possession of firearms within buildings and on grounds adjacent to buildings owned or controlled by the governing body.**

**(b) The governing body of a metropolitan service district organized under ORS chapter 268 may adopt a policy, ordinance or regulation providing that the affirmative defense described in ORS 166.370 (3)(g), concerning persons licensed to carry a concealed handgun under ORS 166.291 and 166.292, does not apply to the possession of firearms within buildings constituting a metropolitan zoo facility, and on grounds adjacent such buildings, owned or controlled by the governing body.**

(4) A governing body that adopts a policy under subsection (3) of this section shall:

(a) Post a clearly visible sign, at all normal points of entry to the buildings and grounds subject to the policy described in subsection (3) of this section, indicating that the affirmative defense described in ORS 166.370 (3)(g) does not apply.

(b) Post a notice on the governing body's website identifying all buildings and grounds subject to the policy described in subsection (3) of this section.

**SECTION 7.** ORS 166.262 is amended to read:

166.262. A peace officer may not arrest or charge a person for violating ORS 166.250 (1)(a) or (b) or 166.370 (1)(a) if the person has in the person's immediate possession:

(1) A valid license to carry a firearm as provided in ORS 166.291 and 166.292, unless the person possesses a firearm within the Capitol, within the passenger terminal of a commercial service airport with over one million passenger boardings per year, **within a building or adjacent grounds subject to a policy described in ORS 166.377** or on school grounds subject to a policy described in ORS 166.377;

(2) Proof that the person is a law enforcement officer; or

(3) Proof that the person is an honorably retired law enforcement officer, unless the person has been convicted of an offense that would make the person ineligible to obtain a concealed handgun license under ORS 166.291 and 166.292.

## CAPTIONS

**SECTION 8.** The unit captions used in this 2025 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2025 Act.

## EFFECTIVE DATE

**SECTION 9.** This 2025 Act takes effect on the 91st day after the date on which the 2025 regular session of the Eighty-third Legislative Assembly adjourns sine die.