

STORAGE AND CONTROL

SECTION 1. (1) A person who owns or possesses a firearm must secure the firearm with a trigger or cable lock engaged or in a locked container equipped with a tamper-resistant lock.

(2) Subsection (1) of this section does not apply to a firearm carried by or under the control of the owner or possessor of the firearm.

(3)(a) A violation of subsection (1) of this section is a Class C violation.

(b) If the owner or possessor of a firearm violates subsection (1) of this section when the owner or possessor knew or should have known that a minor could gain unauthorized access to the firearm, the violation is a Class A violation.

(c) Each firearm owned or possessed in violation of subsection (1) of this section constitutes a separate violation.

(4) A person whose violation of subsection (1) of this section results in injury to person or property within five years of the date of the violation from the use of a firearm that was not secured is strictly liable for the injury.

(5) The liability imposed by subsection (4) of this section does not apply if the injury results from a lawful act of self-defense or defense of another person.

TRANSFER

SECTION 2. (1) A person who transfers a firearm must transfer the firearm with a trigger or cable lock engaged or in a locked container equipped with a tamper-resistant lock.

(2)(a) A violation of subsection (1) of this section is a Class C violation.

(b) Each firearm transferred in violation of subsection (1) of this section constitutes a separate violation.

(3) A person whose violation of subsection (1) of this section results in injury to person or property within five years from the date of the violation from the use of a firearm transferred in violation of subsection (1) of this section is strictly liable for the injury.

(4) The liability imposed by subsection (4) of this section does not apply if the injury results from a lawful act of self-defense or defense of another person.

REPORTING

SECTION 3. (1) A person who owns, possesses or controls a firearm must report the loss or theft of the firearm to a law enforcement agency in the jurisdiction in which the loss or

theft occurred within 24 hours of the time the person knew or should have known of the loss or theft.

(2)(a) A violation of subsection (1) of this section is a Class B violation.

(b) Each firearm for which a person does not make the report within the time required by subsection (1) of this section constitutes a separate violation.

(3) A person whose violation of subsection (1) of this section results in injury to person or property from the use of a firearm the loss or theft of which was not reported within 24 hours after the person knew or should have known of the loss or theft is strictly liable for the injury if the injury occurs more than 24 hours and less than five years after the person knew or should have known of the loss or theft.

(4) The liability imposed by subsection (3) of this section does not apply if the injury results from a lawful act of self-defense or defense of another person.

MINORS

SECTION 4. (1) A person who transfers a firearm to a minor that the minor does not own must directly supervise the minor's use of the firearm.

(2) A person whose violation of subsection (1) of this section results in injury to person or property within five years from the date of the violation from the use of a firearm is strictly liable for the injury.

(3) The liability imposed by subsection (2) of this section does not apply if the injury results from a lawful act of self-defense or defense of another person.

(4) Except in the case of a lawful act of self-defense or defense of another person, a minor may possess a firearm the minor does not own only under the direct supervision of an adult.

RULES

SECTION 5. (1)(a) By January 1, 2019, the Attorney General shall adopt temporary rules establishing the specifications for trigger locks, cable locks and containers equipped with tamper-resistant locks.

(b) By January 1, 2020, the Attorney General shall adopt permanent rules establishing the specifications for trigger locks, cable locks and containers equipped with tamper-resistant locks.

(2)(a) On or after January 1, 2020, the lock or container required by sections 1 and 2 of this 2018 Act must meet or exceed the specifications the Attorney General adopts under subsection (1)(b) of this section.

(b) A person shall be considered to comply with paragraph (a) of this subsection if a lock or container complies with the rules required by subsection (1)(a) of this section and the person acquired the lock or container before the adoption of the rules required by subsection (1)(b) of this section.

DEFINITIONS

SECTION 6. (1) As used in this section and sections 1 to 5 of this 2018 Act:

(a) “Firearm” and “minor” have the meanings given those terms in ORS 166.210.

(b) “Law enforcement agency” has the meaning given that term in ORS 166.525.

(c) “Transfer” means the delivery of a firearm, including, but not limited to, the sale, gift, loan or lease of the firearm.

(2) For purposes of sections 1 and 3 of this 2018 Act, a firearm is under the control of a person when the person is lawfully authorized to possess the firearm and the person is in sufficiently close proximity to the firearm to prevent another person from obtaining possession of the firearm.

SECTION 7. Sections 1 and 2 of this 2018 Act become operative January 15, 2019.

