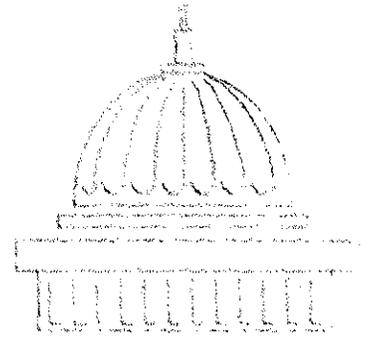


F. NRA / ILA Firearms Laws for

OREGON

(As of February, 2008)



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A SYNOPSIS OF STATE LAWS ON PURCHASE, POSSESSION AND CARRYING OF FIREARMS.

QUICK REFERENCE CHART

	Rifles and Shotguns	Handguns
Permit to Purchase	No	No
Registration of Firearms	No	No
Licensing of Owners	No	No
Permit to Carry	No	Yes*

STATE CONSTITUTIONAL PROVISION

"The people shall have the right to keep and bear arms for the defense of themselves and the state, but the military shall be kept in strict subordination to the civil power." Article 1, Section 27.

PURCHASE

A resident of this state may purchase or otherwise obtain a rifle or shotgun in a contiguous state (California, Idaho, Nevada or Washington) and receive in this state or transport into this state such rifle or shotgun, unless the purchase or transfer violates the law of this state, the state in which the purchase or transfer is made or the United States.

It is unlawful to sell, deliver, or transfer any firearm to:

- a minor under the age of 18;
- a convicted felon, who has not had his civil rights restored;
- a person who has been convicted of a misdemeanor involving violence or found guilty, except for insanity, within the previous four years;
- a person listed in the Health Division Registry;
- a person who has been committed to the Dept. of Human Services;
- a person who has any outstanding felony warrants for arrest;
- a person who is free on any form of pretrial release for a felony.

Paragraph 2 does not prohibit the temporary transfer of any firearm to a minor for any lawful purpose, including hunting and target shooting. A parent, guardian, or other person with the consent of a parent or guardian may transfer a rifle or shotgun to a minor.

All dealers, pawnbrokers or otherwise must keep a record of every handgun sold. This record shall contain the time, date and place of the sale or trade, the name of the salesperson making the sale or trade, the make, model and manufacturer's number on the handgun. The purchaser must sign his name and affix his address to the register.

Thumbprints are taken. The purchaser must present clear evidence of his identity.

A copy of the record must be mailed to the local police and state police on the day of the sale for a record check.

A gun dealer shall request by telephone that the Dept. of State Police conduct a criminal history record check on the purchaser. The Dept. of State Police shall immediately or by return call determine whether the purchaser is qualified to complete the purchase. The fee for the criminal history record check may not exceed \$10. The handgun must be unloaded when delivered.

Any person who transfers a firearm at a gun show is required to request a criminal background check before completing the transfer. Any person who transfers a firearm at any location other than a gun show may voluntarily request a criminal background check before completing the transfer.

POSSESSION

It is unlawful for a felon to possess any firearm except:

- if the offense was declared to be a misdemeanor, at the time of judgment, by the court;
- if the offense was for possession of marijuana and the conviction was prior to January 1, 1972;
- if the person was convicted of only one felony under the laws of Oregon or another state, or under U.S. law, and it did not involve criminal homicide, or the possession or use of a firearm or switchblade knife, provided the person was discharged from imprisonment, parole or probation fifteen years before;
- where the individual has been granted relief from the disability under Oregon or Federal law, or the person's record has been expunged.

CARRY

It is unlawful to carry concealed upon the person or concealed about one's person in a vehicle any firearm unless one has a license to carry a concealed weapon. Exceptions to the above prohibition are:

- persons possessing a handgun at their home or place of business;
- organizations, which are by law, authorized to purchase or receive weapons from the United States;
- policemen and law enforcement personnel, whether active or honorably retired;
- military personnel when on active or reserve duty;
- members of a shooting club while at a range or going to and from a range;

- licensed hunters or fishermen, while engaged in hunting or fishing or going to and from a hunting or fishing expedition;
- merchants transporting or possessing firearms as merchandise;
- duly authorized military or civil organizations while parading or traveling to a meeting of their organization;
- corrections officer while transporting convict.

Firearms carried openly in belt holsters are not considered to be concealed.

Application for a license to carry a concealed weapon is made to the sheriff of a county who shall take fingerprints and a photograph and shall issue the person within 45 days of application a concealed handgun license if the person:

- is a citizen of the U.S., or a legal resident alien who can document continuous residency in the county for at least six months and has declared in writing to the Immigration and Naturalization Service the intent to acquire citizenship status and can present proof of the written declaration to the sheriff at the time of application for the license.
- is at least 21 years of age;
- has a principal residence in the county in which the application is made;
- has no outstanding warrants for arrest;
- is not free on any form of pretrial release;
- demonstrates competence with a handgun by one of the prescribed handgun safety programs, or can certify training in the armed forces, or has a license already;
- has never been convicted or found guilty of a felony, except for insanity;
- has not been convicted of or found guilty, except for insanity, of a misdemeanor, within the last four years;
- has not been committed to the Mental Health and Developmental Disability Services Division;
- has not been found to be mentally ill and is not subject to an order that the person be prohibited from purchasing or possessing a firearm;
- has been discharged from the jurisdiction of the juvenile court for more than four years if, while a minor, the person was found to be within the jurisdiction of the juvenile court for having committed an act, if committed by an adult, would constitute a felony or a misdemeanor involving violence.
- has not been cited for stalking, or under a protective order.

The license is valid for four years; issuance and renewal fee is \$50. There is a \$15 fee to the Dept. of State Police for taking fingerprints. There is a \$15 fee for duplication of a license because of loss or change of address. If the application for the concealed handgun license is denied, revoked, or not renewed a person may petition the circuit court in the petitioner's county of residence to review the denial, non-renewal or revocation. The petition must be filed within 30 days after the receipt of the notice of denial or revocation.

No civil or criminal liability shall attach to the authority issuing, receiving or investigating an application.

It is unlawful to possess a loaded firearm in a snowmobile.

ANTIQUES AND REPLICAS

CAUTION: Firearm laws are subject to frequent change and court interpretation. This summary is not intended as legal advice or restatement of law. This summary does not include federal or local laws, ordinances or regulations. For any particular situation, a licensed local attorney must be consulted for an accurate interpretation. **YOU MUST ABIDE WITH ALL LAWS: STATE, FEDERAL AND LOCAL.**

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Antique firearm includes any firearm manufactured in or before 1898, any replica of such firearm not designed or redesigned for fixed ammunition, or a replica that uses fixed ammunition that is no longer manufactured in the U.S. and not readily available in ordinary channels of commercial trade.

While generally by definition, firearms laws do not apply to antique firearms, in Oregon those prohibited from possession of firearms, are expressly prohibited from possession of antique firearms.

MACHINE GUNS

It is lawful to possess a machine gun provided it is registered in conformity with federal law and if the person has in the person's immediate possession documentation showing that the machine gun, short-barreled rifle, short-barreled shotgun or firearms silencer is registered under federal law.

MISCELLANEOUS

It is unlawful to set any loaded spring gun, except for the purpose of destroying gophers, moles and other burrowing rodents.

It is unlawful to intentionally change, alter, remove or obliterate the serial number or identification number on any handgun. Possession of a handgun with its marks altered, removed or obliterated creates a legal presumption that the possessor committed the offense.

It is unlawful to discharge any firearm or air rifle upon or across any public road or railway right of way or upon or across the ocean shores within the state recreation areas.

It is unlawful to purposefully point any loaded or empty firearm toward any other person within the weapon's range except in self-defense.

* It is unlawful to possess a firearm loaded or unloaded in a public building. "Public building" means a hospital, capitol building, a public or private school, college or university, a courthouse, city hall, or residence of any state official and the grounds adjacent to each such building. This restriction does not apply to individuals licensed under Oregon law to carry concealed weapons.

No county, city or other municipal corporation or district may enact civil or criminal ordinances, including but not limited to zoning ordinances, to regulate, restrict or prohibit the sale, acquisition, transfer, ownership, possession, storage, transportation or use of firearms or any element relating to firearms and components thereof, including ammunition.

Sources: Ore. Rev. Stat. §§ 166.170 - 166.630.



Yamhill County Sheriff's Office

Concealed Handgun License

Additional Information

166.370 Possession of firearm or dangerous weapon in public building or court facility; exceptions; discharging firearm at school.

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

(2)(a) Except as otherwise provided in paragraph (b) of this subsection, a person who intentionally possesses:

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

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

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

Oregon Revised Statute (ORS) 166.360 Definitions for ORS 166.360 to 166.380

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

(4) "Public building" means a hospital, a capitol building, a public or private school, as defined in ORS 339.315, a college or university, a city hall or the residence of any state official elected by the state at large, and the grounds adjacent to each such building. The term also includes that portion of any other building occupied by an agency of the state or a municipal corporation, as defined in ORS 297.405, other than a court facility.