

HB 4147-5  
(LC 263)  
2/8/16 (JLM/ps)

Requested by Representative SPRENGER

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4147**

1 On page 1 of the printed bill, line 2, after “checks;” insert “creating new  
2 provisions; and”.

3 In line 21, restore the bracketed material and delete the boldfaced mate-  
4 rial and after “(3)(c)” insert “and (d)”.

5 On page 2, delete lines 27 and 28 and insert “Under no circumstances may  
6 the department take more than 45 days to make the determination.”.

7 After line 32, insert:

8 “(c) If the department fails to provide a unique approval number to a gun  
9 dealer or to notify the gun dealer that the purchaser is disqualified under  
10 paragraph (a) of this subsection, the gun dealer may deliver the handgun to  
11 the purchaser in accordance with federal law.

12 “(d) Notwithstanding paragraph (c) of this subsection, if the department  
13 fails to provide a unique approval number to a gun dealer or to notify the  
14 gun dealer that the purchaser is disqualified under paragraph (a) of this  
15 subsection before the close of the gun dealer’s next business day following  
16 the request by the dealer for a criminal history record check, the gun dealer  
17 may deliver the handgun to the purchaser if the purchaser provides doc-  
18 umentation to the gun dealer demonstrating that:

19 “(A) The purchaser has been a victim of domestic violence as defined in  
20 ORS 135.230; or

21 “(B) The purchaser is the petitioner on an active Family Abuse Pre-

1 vention Act protective order under ORS 107.700 to 107.735 or an active  
2 stalking protective order under ORS 30.866 or 163.738.”.

3 On page 4, lines 33 and 34, delete the boldfaced material.

4 After line 37, insert:

5 “(e) If the department is unable to determine if the transferee is qualified  
6 or disqualified from completing the transfer within 30 minutes, the depart-  
7 ment shall notify the gun dealer and provide the gun dealer with an estimate  
8 of the time when the department will provide the requested information.  
9 Under no circumstances may the department take more than 45 days to make  
10 the determination.

11 “(f) If the department fails to provide a unique approval number to the  
12 gun dealer or to notify the gun dealer that the transferee is prohibited by  
13 state or federal law from possessing or receiving the firearm, the gun dealer  
14 may transfer the firearm to the transferee in accordance with federal law.

15 “(g) Notwithstanding paragraph (f) of this subsection, if the department  
16 fails to provide a unique approval number to the gun dealer or to notify the  
17 gun dealer that the transferee is prohibited by state or federal law from  
18 possessing or receiving the firearm before the close of the gun dealer’s next  
19 business day following the request by the dealer for a criminal background  
20 check, the gun dealer may transfer the firearm to the transferee if the  
21 transferee provides documentation to the gun dealer demonstrating that:

22 “(A) The transferee has been a victim of domestic violence as defined in  
23 ORS 135.230; or

24 “(B) The transferee is the petitioner on an active Family Abuse Pre-  
25 vention Act protective order under ORS 107.700 to 107.735 or an active  
26 stalking protective order under ORS 30.866 or 163.738.”.

27 In line 38, delete “(e)” and insert “(h)”.

28 On page 6, after line 30, insert:

29 **“SECTION 4. In addition to and not in lieu of any other appropri-  
30 ation, there is appropriated to the Department of State Police, for the**

1 **biennium beginning July 1, 2015, out of the General Fund, the amount**  
2 **of \$\_\_\_\_\_, which may be expended for performing firearm transfer**  
3 **criminal background checks.”.**

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