

House Bill 3443

Sponsored by Representative RUIZ (at the request of Nathan Vasquez, Multnomah County District Attorney)

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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that each gun possessed by a felon constitutes a separate offense. (Flesch Readability Score: 65.7).

Provides that each firearm possessed by a person committing the crime of felon in possession of a firearm constitutes a separately punishable offense.

A BILL FOR AN ACT

1
2 Relating to felon in possession of a firearm; creating new provisions; and amending ORS 161.067.

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

4 **SECTION 1.** ORS 161.067 is amended to read:

5 161.067. (1) When the same conduct or criminal episode violates two or more statutory pro-
6 visions and each provision requires proof of an element that the others do not, there are as many
7 separately punishable offenses as there are separate statutory violations.

8 (2) When the same conduct or criminal episode, though violating only one statutory provision
9 involves two or more victims, there are as many separately punishable offenses as there are victims.
10 However, two or more persons owning joint interests in real or personal property shall be consid-
11 ered a single victim for purposes of determining the number of separately punishable offenses if the
12 property is the subject of one of the following crimes:

13 (a) Theft as defined in ORS 164.015.

14 (b) Unauthorized use of a vehicle as defined in ORS 164.135.

15 (c) Criminal possession of rented or leased personal property as defined in ORS 164.140.

16 (d) Criminal possession of a rented or leased motor vehicle as defined in ORS 164.138.

17 (e) Burglary as defined in ORS 164.215 or 164.225.

18 (f) Criminal trespass as defined in ORS 164.243, 164.245, 164.255, 164.265 or 164.278.

19 (g) Arson and related offenses as defined in ORS 164.315, 164.325 or 164.335.

20 (h) Forgery and related offenses as defined in ORS 165.002 to 165.070.

21 (3) When the same conduct or criminal episode violates only one statutory provision and in-
22 volves only one victim, but nevertheless involves repeated violations of the same statutory provision
23 against the same victim, there are as many separately punishable offenses as there are violations,
24 except that each violation, to be separately punishable under this subsection, must be separated
25 from other such violations by a sufficient pause in the defendant's criminal conduct to afford the
26 defendant an opportunity to renounce the criminal intent. Each method of engaging in oral or anal
27 sexual intercourse as defined in ORS 163.305, and each method of engaging in unlawful sexual pen-
28 etration as defined in ORS 163.408 and 163.411 shall constitute separate violations of their respec-
29 tive statutory provisions for purposes of determining the number of statutory violations.

30 **(4) Notwithstanding subsection (3) of this section, each firearm possessed in violation of**

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.

1 **ORS 166.270 constitutes a separately punishable offense, regardless of whether the pos-**
2 **sessions occurred as part of the same conduct or criminal episode.**

3 **SECTION 2. The amendments to ORS 161.067 by section 1 of this 2025 Act apply to con-**
4 **duct occurring on or after the effective date of this 2025 Act.**

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