

Senate Bill 871

Sponsored by Senator DEMBROW, Representative KENY-GUYER; Senators FREDERICK, TAYLOR, Representatives GREENLICK, HELM, KOTEK, MALSTROM, NOSSE, POWER, REARDON, SANCHEZ

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**.

Makes changes to program requiring asbestos survey to have been conducted before demolishing residence or residential building.

Creates program requiring lead-based paint survey to have been conducted before demolishing residence or residential building.

Becomes operative January 1, 2018.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to demolitions; creating new provisions; amending ORS 431A.353, 431A.363 and 468A.757;
3 and prescribing an effective date.

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

ASBESTOS SURVEYS

5
6
7
8 **SECTION 1.** ORS 468A.757 is amended to read:

9 468A.757. (1) The Environmental Quality Commission shall adopt rules prohibiting the demoli-
10 tion of a residence or residential building unless an asbestos survey has been conducted by an in-
11 spector accredited in accordance with rules adopted by the commission for the purpose of
12 determining whether asbestos-containing materials are present at the residence or residential
13 building, and for other purposes as determined by the commission.

14 *[(2) The commission may, by rule:]*

15 **(2) In adopting rules under subsection (1) of this section, the commission shall:**

16 (a) Establish [*the*] procedures for conducting the **asbestos** survey [*described in subsection (1) of*
17 *this section*]; and

18 [*(b) Establish exemptions to the prohibition described in subsection (1) of this section.*]

19 **(b) Establish procedures by which the city or county in which the residence or residential**
20 **building is located may require, prior to the demolition of the residence or residential build-**
21 **ing, a copy of the asbestos survey to be filed with an agency of the city or county.**

22 (3) This section does not apply to a residence or residential building constructed on or after a
23 date identified by the commission by rule.

24 **SECTION 2. The amendments to ORS 468A.757 by section 1 of this 2017 Act apply to**
25 **demolitions occurring on or after the operative date specified in section 6 of this 2017 Act.**

LEAD-BASED PAINT SURVEYS

26
27
28
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 **SECTION 6.** (1) Section 3 of this 2017 Act and the amendments to ORS 431A.353, 431A.363
2 and 468A.757 by sections 1, 4 and 5 of this 2017 Act become operative on January 1, 2018.

3 (2) The Oregon Health Authority and the Environmental Quality Commission may take
4 any action before the operative date specified in subsection (1) of this section that is neces-
5 sary to enable the authority and the commission to exercise, on and after the operative date
6 specified in subsection (1) of this section, all the duties, functions and powers conferred on
7 the authority and the commission by section 3 of this 2017 Act and the amendments to ORS
8 431A.353, 431A.363 and 468A.757 by sections 1, 4 and 5 of this 2017 Act.

9 **SECTION 7.** The unit captions used in this 2017 Act are provided only for the convenience
10 of the reader and do not become part of the statutory law of this state or express any leg-
11 islative intent in the enactment of this 2017 Act.

12 **SECTION 8.** This 2017 Act takes effect on the 91st day after the date on which the 2017
13 regular session of the Seventy-ninth Legislative Assembly adjourns sine die.

14