

A-Engrossed House Bill 4144

Ordered by the House February 13
Including House Amendments dated February 13

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown)

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.

Allows [*applicant*] **individual applying** for construction contractor license with residential general contractor or residential specialty contractor endorsement who has specified amount of experience in construction-related activities on residential or small commercial structures to obtain license and endorsement without meeting contractor training requirements or paying fees to Construction Contractors Board.

[*Allows applicant who has specified amount and type of experience in plumbing work on residential or small commercial structures to obtain plumbing contractor license without meeting contractor training requirements or paying fees to State Plumbing Board.*]

[*Allows applicant who has specified amount and type of experience in electrical work on residential or small commercial structures to obtain electrical contractor license without meeting contractor training requirements or paying fees to Department of Consumer and Business Services.*]

[*Allows plumbing contractor or electrical contractor who obtained license based on experience without training or board or department fees to obtain construction contractor license with residential specialty contractor endorsement without meeting construction contractor training requirements or paying fees to Construction Contractors Board.*]

Allows individual qualifying for plumbing contractor license or electrical contractor license to obtain license without fee payment if individual obtained construction contractor license with residential general contractor or residential specialty contractor endorsement without meeting training or fee payment requirements.

Allows business owned and managed by person who obtained construction contractor license with residential general contractor or residential specialty contractor endorsement without meeting training and fee payment requirements to qualify as emerging **small** business and obtain loan for capital investment purposes if contractor agrees to certain conditions.

Allows business owned and managed by person who obtained construction contractor license with residential general contractor or residential specialty contractor endorsement without meeting training and fee payment requirements to qualify for **financial support** as local economic development assistance for workforce [*investment*] **recruitment, training or retention** if contractor agrees to certain conditions.

Requires board to report to interim committee of Legislative Assembly no later than October 1, 2020, regarding program allowing individual to obtain construction contractor license with residential general contractor or residential specialty contractor endorsement without meeting contractor training requirements or paying fees to board.

Requires Department of Consumer and Business Services to report to interim committee of Legislative Assembly no later than October 1, 2020, regarding program allowing qualified individual to obtain plumbing contractor or electrical contractor license if individual obtained construction contractor license with residential general contractor or residential specialty contractor endorsement without meeting training or fee payment requirements.

Requires Oregon Business Development Department to report to interim committee of Legislative Assembly no later than October 1, 2020, regarding program allowing individual who obtained construction contractor license with residential general contractor or residential specialty contractor endorsement without meeting training or fee payment requirements and agrees to certain conditions to qualify as emerging small business for capital investment programs.

Requires Higher Education Coordination Commission to report to interim committee of Legislative Assembly no later than October 1, 2020, regarding program allowing individual who obtained construction contractor license with residential general contractor or residential specialty contractor endorsement without meeting training or fee payment requirements and agrees to certain conditions to qualify for financial support as local economic development assistance for worker recruitment, training or retention.

Sunset January 2, 2022.

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.

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A BILL FOR AN ACT

Relating to contractors.

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

CONSTRUCTION CONTRACTORS

SECTION 1. Section 2 of this 2018 Act is added to and made a part of ORS chapter 701.

SECTION 2. (1) Notwithstanding ORS 701.122 or 701.238, except as provided in subsection (3) of this section, if an individual has the equivalent of eight or more years of full-time work experience in the construction, alteration, repair, addition to or improvement of residential structures or small commercial structures and otherwise meets the qualifications for a license with a residential general contractor or residential specialty contractor endorsement, the individual may obtain a license as a contractor with a residential general contractor or residential specialty contractor endorsement without:

(a) Compliance with training requirements under ORS 701.122; or

(b) Payment of any fee to the Construction Contractors Board for the license or endorsement.

(2) For purposes of this section, work experience includes experience obtained in an apprenticeship approved under ORS 660.002 to 660.210. Work experience does not include activities performed on behalf of a licensee operating under an endorsement described in ORS 701.021 (2)(d) to (i).

(3) Subsection (1) of this section does not:

(a) Exempt an individual from the testing requirement in ORS 701.122;

(b) Exempt an individual from any fee payable to an entity other than the board;

(c) Require issuance of a license to an applicant who is described under ORS 701.098, 701.106 or 701.107 or who is an owner, officer or responsible managing individual described under ORS 701.102; or

(d) Apply to the renewal of a license.

(4) A license issued under this section does not authorize the licensee to offer construction contractor services other than through a sole proprietorship owned by the licensee.

(5) In addition to any other authority of the board under this chapter, the board may adopt rules for carrying out this section, including but not limited to, rules for processing applications and verifying work experience.

PLUMBING CONTRACTORS

SECTION 3. Section 4 of this 2018 Act is added to and made a part of ORS 447.010 to 447.156.

SECTION 4. (1) Notwithstanding any State Plumbing Board rule adopted under ORS 693.135, except as provided in subsection (2) of this section, an individual who obtains a construction contractor license under section 2 of this 2018 Act and otherwise qualifies for a plumbing contractor license may obtain a plumbing contractor license without paying a fee for the license.

(2) This section does not:

1 (a) Require issuance of a license to an applicant described under ORS 455.125, 455.127 or
2 455.129; or

3 (b) Apply to the renewal of a license.

4 (3) A license issued under this section does not authorize the licensee to offer plumbing
5 contractor services other than through a sole proprietorship owned by the licensee.

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7 **ELECTRICAL CONTRACTORS**

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9 **SECTION 5.** Section 6 of this 2018 Act is added to and made a part of ORS 479.510 to
10 479.945.

11 **SECTION 6.** (1) Notwithstanding ORS 479.840, except as provided in subsection (2) of this
12 section, an individual who obtains a construction contractor license under section 2 of this
13 2018 Act and otherwise qualifies for an electrical contractor license may obtain a new elec-
14 trical contractor license without paying a fee for the license.

15 (2) This section does not:

16 (a) Require issuance of a license to an applicant described under ORS 455.125, 455.127 or
17 455.129; or

18 (b) Apply to the renewal of a license.

19 (3) A license issued under this section does not authorize the licensee to offer electrical
20 contractor services other than through a sole proprietorship owned by the licensee.

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22 **EMERGING SMALL BUSINESS LOANS**

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24 **SECTION 7.** (1) As used in this section:

25 (a) “Low income household” and “moderate income household” have the meanings given
26 those terms in ORS 456.270.

27 (b) “Qualifying project” means construction, alteration, repair or addition to or im-
28 provement of dwelling units that may be purchased or rented, with or without government
29 assistance, by a low income household or a moderate income household.

30 (c) “Willamette Valley” means Clackamas, Linn, Marion, Multnomah, Polk, Washington
31 and Yamhill Counties and the portion of Benton and Lane Counties lying east of the summit
32 of the Coast Range.

33 (2) A construction contracting business owned and managed by an individual licensed
34 under section 2 of this 2018 Act that does not otherwise qualify as an emerging small busi-
35 ness under ORS 285B.740 to 285B.758 may qualify as an emerging small business for purposes
36 of a loan under ORS 285B.740 to 285B.758 for capital investment purposes if, as a condition
37 of receiving the loan, the individual agrees to:

38 (a) Perform work on qualifying projects that equals at least 20 percent of the work of the
39 business, measured as required by the Oregon Business Development Department by rule;
40 and

41 (b) Operate the business solely in parts of this state located outside the Willamette Val-
42 ley.

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44 **FINANCIAL SUPPORT FOR WORKFORCE DEVELOPMENT**

1 The department shall make the report to the interim committee in the manner provided by
2 ORS 192.245 no later than October 1, 2020.

3 **SECTION 12.** The Higher Education Coordinating Commission shall report to an interim
4 committee of the Eightieth Legislative Assembly related to business regarding the provision
5 of financial support for workforce investment under section 8 of this 2018 Act. The report
6 shall include, but need not be limited to, the number of grants approved for financial support
7 under section 8 of this 2018 Act. The commission shall make the report to the interim com-
8 mittee in the manner provided by ORS 192.245 no later than October 1, 2020.

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10 **REPEAL**

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12 **SECTION 13.** (1) Sections 2, 4, 6, 7 and 8 of this 2018 Act are repealed January 2, 2022.

13 (2) The repeal of sections 2, 4 and 6 of this 2018 Act by this section does not affect the
14 validity of any construction contractor, plumbing contractor or electrical contractor license
15 issued or renewed prior to January 2, 2022.

16 (3) The repeal of section 7 of this 2018 Act by this section does not cancel or alter the
17 terms of any loan made by the Oregon Business Development Department prior to January
18 2, 2022, or repeal any department rule pertaining to loans made by the department prior to
19 January 2, 2022.

20 (4) The repeal of section 8 of this 2018 Act by this section does not cancel or alter the
21 terms of any financial support made available by the Higher Education Coordinating Com-
22 mission prior to January 2, 2022, or repeal any commission rule pertaining to financial sup-
23 port made available by the commission prior to January 2, 2022.

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25 **CAPTIONS**

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27 **SECTION 14.** The unit captions used in this 2018 Act are provided only for the conven-
28 ience of the reader and do not become part of the statutory law of this state or express any
29 legislative intent in the enactment of this 2018 Act.