

Enrolled
House Bill 4144

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

CHAPTER

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:

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

(b) Apply to the renewal of a license.

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

ELECTRICAL CONTRACTORS

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

SECTION 6. (1) Notwithstanding ORS 479.840, 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 an electrical contractor license may obtain a new electrical contractor license without paying a fee for the license.

(2) This section does not:

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

(b) Apply to the renewal of a license.

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

EMERGING SMALL BUSINESS LOANS

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

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

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

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

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

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

(b) Operate the business solely in parts of this state located outside the Willamette Valley.

FINANCIAL SUPPORT FOR WORKFORCE DEVELOPMENT

SECTION 8. (1) As used in this section:

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

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

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

(2) A construction contracting business owned and managed by an individual licensed under section 2 of this 2018 Act that does not otherwise have the financial resources necessary to recruit, train or retain skilled workers may apply to the Higher Education Coordinating Commission for financial support. To the extent the commission deems practicable, the commission shall make financial support available from moneys received by the commission under the federal Workforce Innovation and Opportunity Act to assist local workforce investment by the business if, as a condition of receiving the financial support, the individual agrees to:

(a) Perform work on qualifying projects that equals at least 20 percent of the work of the business, measured as required by the commission by rule;

(b) Operate the business solely in parts of this state located outside the Willamette Valley;

(c) Use the financial support for worker recruitment, training or retention; and

(d) Meet any other requirements regarding worker recruitment, training or retention imposed by the commission.

REPORTS

SECTION 9. The Construction Contractors Board shall report to an interim committee of the Eightieth Legislative Assembly related to business regarding licensing under section 2 of this 2018 Act. The report shall include, but need not be limited to, the number of licenses issued under section 2 of this 2018 Act and the number and types, if any, of complaints received by the board regarding licensees under section 2 of this 2018 Act. The board shall make the report to the interim committee in the manner provided by ORS 192.245 no later than October 1, 2020.

SECTION 10. The Department of Consumer and Business Services shall report to an interim committee of the Eightieth Legislative Assembly related to business regarding licensing under sections 4 and 6 of this 2018 Act. The report shall include, but need not be limited to, the number of licenses issued under sections 4 and 6 of this 2018 Act and the number and types, if any, of complaints received by the department regarding licensees under sections 4 and 6 of this 2018 Act. The department shall make the report to the interim committee in the manner provided by ORS 192.245 no later than October 1, 2020.

SECTION 11. The Oregon Business Development Department shall report to an interim committee of the Eightieth Legislative Assembly related to business regarding loans for capital investment purposes issued under section 7 of this 2018 Act. The report shall include, but need not be limited to, the number of loans approved under section 7 of this 2018 Act. The department shall make the report to the interim committee in the manner provided by ORS 192.245 no later than October 1, 2020.

SECTION 12. The Higher Education Coordinating Commission shall report to an interim committee of the Eightieth Legislative Assembly related to business regarding the provision of financial support for workforce investment under section 8 of this 2018 Act. The report

shall include, but need not be limited to, the number of grants approved for financial support under section 8 of this 2018 Act. The commission shall make the report to the interim committee in the manner provided by ORS 192.245 no later than October 1, 2020.

REPEAL

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

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

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

(4) The repeal of section 8 of this 2018 Act by this section does not cancel or alter the terms of any financial support made available by the Higher Education Coordinating Commission prior to January 2, 2022, or repeal any commission rule pertaining to financial support made available by the commission prior to January 2, 2022.

CAPTIONS

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

Passed by House February 16, 2018

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate February 27, 2018

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2018

Approved:

.....M.,....., 2018

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2018

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Dennis Richardson, Secretary of State