

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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<b>Action:</b>	Do Pass and Be Placed on the Consent Calendar
<b>Vote:</b>	7 - 0 - 0
<b>Yeas:</b>	Berger, Edwards C., Esquivel, Holvey, Rosenbaum, Smith P., Schaufler
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Theresa Van Winkle, Administrator
<b>Meeting Dates:</b>	1/17, 2/14

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**WHAT THE MEASURE DOES:** Corrects terminology regarding individuals and businesses performing landscaping services. Changes business license tax provisions applicable both to construction contractors and landscape contracting businesses to result in separately applicable provisions.

**ISSUES DISCUSSED:**

- Sections of measure similar to current Construction Contractors Board statutes in regards to licensure and fees for businesses based in the Portland metropolitan area
- Potential penalties for businesses who misrepresent themselves as landscape contracting businesses

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Current statute defines a “landscape contractor” as an individual who is legally not allowed to actually contract. The reference can be confusing to both the consumer and the landscaping industry, particularly in regards to consumers who seek to work with a licensed contractor. Furthermore, the industry has a two-license system, one for individuals who demonstrate competency and another for businesses who are either owned by or employ individuals to perform services. In the case of landscaping contractor businesses, the business entity is the actual contractor, performing all of the business functions (i.e. carrying workers’ compensation and liability insurance).

House Bill 2117 changes the term “landscape contractor” to “landscape professional” and “landscape business” to “landscape contracting business,” and aligns statutes relating to landscape contractors to reflect the new terminology, removing any confusion in regards to licensing and competency.

The measure further clarifies statute to require landscape professional license applicants to pay a nonrefundable application fee and an examination fee. It also expresses legislative intent on reducing the number of city business licenses a landscape contracting business must obtain to conduct business in the Portland metropolitan area, and that the cities within Metro boundaries “be allowed to control the imposition of business license taxes and maintain the level of revenues obtained from those taxes.”