

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Deckert, George L., Monnes Anderson, Starr, Metsger
Nays:	0
Exc.:	0
Prepared By:	Janet Adkins, Administrator
Meeting Dates:	5/23

WHAT THE MEASURE DOES: Establishes a moratorium until July 1, 2010 on cities or counties assuming responsibility for administering and enforcing building inspection programs unless the jurisdiction already provides a partial building inspection program, or the responsibility is being assumed from the Department of Consumer and Business Services. Permits the department to establish uniform permit, inspection, and certificate of occupancy requirements, but requires a process allowing a city or county to address conditions that are unique to their enforcement of the building code. Requires a jurisdiction that administers a building inspection program to ensure that a person required to be licensed has the valid license required for any building permit. Allows the agency to impose a civil penalty of up to \$25,000 against a jurisdiction responsible for administering a building inspection program. Declares an emergency and takes effect on passage.

ISSUES DISCUSSED:

- Work with trades, contractors, local governments, and building managers on the measure
- Effect on smaller jurisdictions
- Application process for assumption
- Level of smaller jurisdiction involvement in discussions related to the measure

EFFECT OF COMMITTEE AMENDMENT: Adds provision regarding uniform permit, inspection and certificate of occupancy requirements. Adds requirement for a jurisdiction to ensure that a person required to be licensed has a valid license. Adds civil penalty authority.

BACKGROUND: ORS 455.148 establishes the criteria for comprehensive municipal building inspection programs established by local jurisdictions, with the approval of the Department of Consumer and Business Services (DCBS). The state administers building inspection programs for cities or counties without a program. House Bill 2478-B allows the 130 local jurisdictions that currently have full or partial building inspection programs to continue, while DCBS works with stakeholders to review the current system for oversight of local building inspection programs. The measure sets up a three-year moratorium on new assumptions of authority. The moratorium would apply to a city assuming authority from a county, but not to a city or county assuming authority from the state.

If improperly licensed contractors are successful bidders and complete work, liability problems can arise. House Bill 2478-B is intended to ensure that properly licensed contractors are performing building trades work by requiring jurisdictions with inspection programs to verify appropriate licensure at the time of building permit issuance.

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This summary has not been adopted or officially endorsed by action of the committee.