

House Bill 2107

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Presession filed (at the request of Governor Theodore R. Kulongoski for Construction Contractors Board)

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**.

Requires construction contractor to notify Construction Contractors Board of certain judgments or arbitration awards against contractor. Creates exceptions.

A BILL FOR AN ACT

1
2 Relating to construction contractor obligations.

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

4 **SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS chapter 701.**

5 **SECTION 2. (1) A contractor shall send the Construction Contractors Board a copy of a**
6 **final judgment entered by a circuit court of this state, or by an equivalent court in another**
7 **state, if the judgment orders the contractor to pay damages that arise from a breach of**
8 **contract or from negligent or improper work and that relate to the construction or proposed**
9 **construction of a residential structure.**

10 **(2) A contractor shall send the board a copy of an arbitration award entered in any state**
11 **if the award orders the contractor to pay damages that arise from a breach of contract or**
12 **from negligent or improper work and that relate to the construction or proposed con-**
13 **struction of a residential structure.**

14 **(3) Notwithstanding subsections (1) and (2) of this section, a contractor is not required**
15 **to send the board a copy of a final judgment or an arbitration award if:**

16 **(a) The contractor paid the damages and other amounts payable by the contractor under**
17 **the judgment or award no later than 30 days after recording of the judgment or issuance of**
18 **the arbitration award; or**

19 **(b) The contractor is appealing the judgment or award and has filed any undertaking on**
20 **appeal required by ORS 19.300 or any appropriate security ordered by the arbitrator under**
21 **ORS 36.486 or trial court under ORS 36.524.**

22 **SECTION 3. Section 2 of this 2007 Act applies to final judgments and arbitration awards**
23 **issued before, on or after the effective date of this 2007 Act. However, for a final judgment**
24 **or an arbitration award recorded or issued before the effective date of this 2007 Act, a con-**
25 **tractor must send the Construction Contractors Board a copy of the judgment or award only**
26 **if, 30 days after the effective date of this 2007 Act, the contractor has not paid the damages**
27 **and other amounts payable and the judgment or award is not on appeal as described in sec-**
28 **tion 2 of this 2007 Act.**

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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.