

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass and Be Placed on the Consent Calendar
Vote:	9 - 0 - 1
Yeas:	Barton, Cameron, Edwards C., Esquivel, Holvey, Matthews, Thatcher, Witt, Schaufler
Nays:	0
Exc.:	Kennemer
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	<i>Subcommittee: 5/5; Full: 5/13</i>

WHAT THE MEASURE DOES: Makes personal identifier information provided in license or certification application to the Construction Contractors Board confidential. Prohibits the disclosure of Social Security numbers, drivers' license numbers, date of birth, and other personal information required for licensure. Provides exceptions. Exempts a construction contractor from submitting personal identifier information to the CCB if the contractor offers securities registered with the Securities and Exchange Commission (SEC). Exempts a contractor that is in a partnership or joint venture offering securities registered with the SEC from obtaining a new contractor license upon the withdrawal of the partner or venturer.

ISSUES DISCUSSED:

- Whether Securities and Exchange Commission information could be obtained by the Construction Contractors Board if necessary
- Whether a company's responsible managing individual must provide similar information
- What the board has done to address "bad players"
- Overview of National Association of State Contracting Licensing Agencies (NASCLA) database

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: As part of the Construction Contractors Board (CCB) licensure process, all applicants must submit personal identifier information such as their date of birth and drivers' license number, and sole practitioners and partners are also required to provide their social security numbers (SSNs). Oregon statute requires SSNs from all applicants, but federal law restricts the capture and distribution of the information.

Applications submitted to the CCB are public record, not considered confidential and privileged under Oregon law. Thus, the CCB must disclose a licensee's application with personal identification information when a public information request is made. SB 206 makes personal identifier information included in a CCB license or certificate applicant confidential, allowing the information to be exempt from a public records request and preventing the distribution of personal information most commonly used to commit identity theft.

All CCB license applicants, including publicly traded companies, must disclose personal identifying information for their principals to allow the board to track contractors with bad debts or criminal convictions who leave one business and move to another. The board has stated that there is no need for this because compliance is costly for large national homebuilders and home improvement retailers, there is no evidence that principals of large businesses leave and form new companies to avoid debts, and personal information can be obtained from public filings because large businesses registered with the Securities and Exchange Commission (SEC) provide detailed information about their principal officers. SB 206 exempts companies that offer securities registered with the SEC from the personal identifier information requirement.

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