

House Bill 2856

Sponsored by COMMITTEE ON JUDICIARY

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**.

Defines "individual with a disability" for products of individuals with disabilities as individual who receives Social Security disability benefits or Social Security income. Provides that qualified nonprofit agency for individuals with disabilities must employ individuals with disabilities during July 1 to June 30 fiscal year for not less than 75 percent of work hours of direct labor required in each contract for manufacture or provision of products or services.

A BILL FOR AN ACT

1
2 Relating to products of individuals with disabilities; creating new provisions; and amending ORS
3 279.835.

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

5 **SECTION 1.** ORS 279.835 is amended to read:

6 279.835. As used in ORS 279.835 to 279.855:

7 [(1) "Department" means the Oregon Department of Administrative Services.]

8 [(2)] (1)(a) "Direct labor" [includes all] **means** work required for preparation, processing and
9 packing[.].

10 (b) "Direct labor" **does not include** [but not] supervision, administration, inspection [and] or
11 shipping.

12 [(3)] (2) "Individual with a disability" means an individual who, because of the nature of **the**
13 **individual's** disabilities, is **receiving federal Social Security disability benefits or income from**
14 **Social Security**, is not able to participate [fully] in competitive **full-time or part-time**
15 employment[,], and **is an individual** for whom specialized employment opportunities must be pro-
16 vided.

17 [(4)] (3) "Public agency" or "public contracting agency" means [any] **an** agency of the State of
18 Oregon or any political subdivision [thereof] **of the State of Oregon** authorized by law to enter into
19 public contracts and [any] **a** public body created by intergovernmental agreement.

20 [(5)] (4) "Qualified nonprofit agency for individuals with disabilities" means a nonprofit activity
21 center or rehabilitation facility:

22 (a) Organized under the laws of the United States or of this state and operated in the interest
23 of individuals with disabilities, [and] the net income of which does not inure in whole or in part to
24 the benefit of [any] **a** shareholder or other individual;

25 (b) That complies with [any] applicable occupational health and safety [standard] **standards** re-
26 quired by the laws of the United States or of this state; and

27 (c) That in the manufacture of products and in the provision of services, whether or not the
28 products or services are procured under ORS 279.835 to 279.855, during the fiscal year **July 1 to**
29 **June 30** employs individuals with disabilities for not less than 75 percent of the work hours of direct
30 labor required **in each contract** for the manufacture or provision of the products or services.

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.

1 **SECTION 2.** The amendments to ORS 279.835 by section 1 of this 2009 Act apply to con-
2 tracts first advertised or otherwise solicited or, if not advertised or solicited, first entered
3 into on or after the effective date of this 2009 Act.

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