

House Bill 2481

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Consumer Protection and Government Accountability)

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 that moisture sensitive components of one and two family dwellings pass moisture content testing before enclosure in location that prevents normal drying.

A BILL FOR AN ACT

1
2 Relating to moisture in residential structures.

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

4 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS chapter 455.**

5 **SECTION 2. (1) As used in this section:**

6 (a) **"General contractor" means:**

7 (A) **A licensed contractor that is a general contractor as defined in ORS 701.005; or**

8 (B) **A person not described in subparagraph (A) of this paragraph who signs a statement**
9 **described in ORS 701.325 (2).**

10 (b) **"Moisture sensitive component" means an item that is:**

11 (A) **Capable of containing more than 19 percent moisture by weight; and**

12 (B) **Intended for enclosure in a location where drying in service cannot readily occur.**

13 (2) **The general contractor for a new one or two family dwelling shall ensure that each**
14 **moisture sensitive component of the dwelling is tested for moisture content. The testing**
15 **must be conducted by a building inspector or by an independent tester acceptable to the**
16 **Department of Consumer and Business Services or the municipality inspecting the dwelling.**
17 **If testing is performed by an independent tester, the general contractor shall ensure that a**
18 **copy of the test results are provided to the building inspector for the dwelling.**

19 (3) **The general contractor may not allow the installation of interior finishes in the**
20 **dwelling until any moisture sensitive components to be enclosed by those finishes have been**
21 **tested and found to contain no more than 19 percent moisture content.**

22 (4) **Framing, trusses, joists, structural sheathing and other structural components that**
23 **are made of wood or wood products, and all insulation materials, are conclusively presumed**
24 **to be moisture sensitive components.**

25 (5) **The department may adopt rules to carry out this section. The rules may include,**
26 **but need not be limited to, rules that identify:**

27 (a) **Acceptable moisture testing methods and procedures;**

28 (b) **Types of components and materials that are capable of containing more than 19 per-**
29 **cent moisture by weight; and**

30 (c) **Types of enclosures and locations that may prevent drying in normal service.**

31 **SECTION 3. Section 2 of this 2011 Act applies to new one and two family dwellings for**

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 **which an initial building permit is issued on or after the effective date of this 2011 Act.**

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