

House Bill 3012

Sponsored by Representative J SMITH

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**.

Includes Oregon Liquor Control Commission in Interagency Compliance Network.

A BILL FOR AN ACT

Relating to classification of workers; amending ORS 670.700.

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

SECTION 1. ORS 670.700 is amended to read:

670.700. (1) There is established an Interagency Compliance Network consisting of:

- (a) The Department of Justice;
- (b) The Department of Revenue;
- (c) The Employment Department;
- (d) The Department of Consumer and Business Services;
- (e) The Bureau of Labor and Industries;
- (f) The Construction Contractors Board;
- (g) The State Landscape Contractors Board; *[and]*
- (h) The Oregon Liquor Control Commission; and**

[(h)] (i) Other state agencies that enter into the intergovernmental agreement as described in subsection (3) of this section.

(2) The Interagency Compliance Network established under this section shall:

- (a) Work to establish consistency in agency determinations relating to the classification of workers, including but not limited to classification of workers as independent contractors;
- (b) Gather and share information relating to persons who pay workers in cash and who do not comply with laws relating to taxation or employment;
- (c) Gather and share information relating to the misclassification of workers, including but not limited to misclassification as independent contractors;
- (d) Develop investigative methods for auditing persons who pay workers in cash, or who misclassify workers, and who do not comply with laws relating to taxation or employment;
- (e) Conduct joint audits of persons who pay workers in cash, or who misclassify workers, and who do not comply with laws relating to taxation or employment;
- (f) Identify opportunities for and obstacles to improving compliance with the laws relating to the classification of workers, taxation or employment;
- (g) Create a coordinated enforcement process for the laws relating to classification of workers that is efficient, fair and effective for the public and the regulatory agencies charged with enforcing laws relating to taxation or employment;
- (h) Engage in public outreach efforts to educate the public generally on the distinctions between

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 independent contractors and employees and on the laws and regulations governing the duties relat-
2 ing to classification of workers; and

3 (i) Take such other action as the member agencies deem appropriate to improve compliance with
4 laws relating to taxation or employment that are administered by the member agencies.

5 (3) The agencies identified in subsection (1)(a) to [(g)] (h) of this section shall enter into an
6 intergovernmental agreement for the purpose of coordinating the efforts of the agencies under this
7 section. Any other agency of state government, as defined in ORS 174.111, that has an interest in
8 compliance with laws relating to taxation or employment may become a member of the Interagency
9 Compliance Network by entering into the agreement on such terms as may be prescribed by the
10 agencies identified in subsection (1)(a) to [(g)] (h) of this section.

11 (4) Notwithstanding ORS 314.835 or any other law relating to confidentiality of information, any
12 agency that is a member of the Interagency Compliance Network may enter into an agreement with
13 another member agency to provide information to the other agency. Information provided to an
14 agency under this subsection may be used by the agency only for the purpose of enforcing compli-
15 ance of laws that are administered by the agency.

16