

# House Bill 3371

Sponsored by Representative WHISNANT

## 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 person licensed and endorsed as residential general contractor, residential specialty contractor or residential limited contractor to have responsible managing individual with construction experience. Requires applicant for issuance or renewal of license and endorsement to certify compliance. Specifies required experience.

Corrects inconsistency in statute requiring commercial contractor key employee.

## A BILL FOR AN ACT

1  
2 Relating to construction contractors; creating new provisions; and amending ORS 701.050 and  
3 701.081.

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

5 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS chapter 701.**

6 **SECTION 2. (1) A person applying for issuance or renewal of licensing and endorsement**  
7 **as a residential general contractor, residential specialty contractor or residential limited**  
8 **contractor shall certify on the application that the person has at least one responsible**  
9 **managing individual meeting the applicable construction experience requirement in ORS**  
10 **701.081.**

11 **(2) Except as provided in subsection (3) of this section, the experience certified under**  
12 **subsection (1) of this section must be as a licensed contractor, journeyman, foreperson or**  
13 **supervisor or as any other employee engaged in construction work for a licensed contractor.**

14 **(3) The following experience or education may substitute for construction experience**  
15 **described in subsection (2) of this section:**

16 **(a) Completion of an apprenticeship program may substitute for up to one year of expe-**  
17 **rience;**

18 **(b) A bachelor's degree in a construction-related field may substitute for up to one year**  
19 **of experience;**

20 **(c) A bachelor's degree or master's degree in business, finance or economics may sub-**  
21 **stitute for up to nine months of experience; and**

22 **(d) An associate's degree in construction or building management may substitute for up**  
23 **to six months of experience.**

24 **SECTION 3. ORS 701.081 is amended to read:**

25 701.081. (1) A residential general contractor shall:

26 (a) Obtain a surety bond under ORS 701.068 in the amount of \$20,000;

27 (b) Obtain general liability insurance under ORS 701.073 in an amount of not less than \$500,000;

28 [*and*]

29 (c) Have a responsible managing individual who meets the requirements of ORS 701.091[.]; **and**

30 **(d) Have a responsible managing individual with two or more years of construction ex-**

**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 **perience as described in section 2 of this 2011 Act.**

2 (2) A residential specialty contractor shall:

3 (a) Obtain a surety bond under ORS 701.068 in the amount of \$15,000;

4 (b) Obtain general liability insurance under ORS 701.073 in an amount not less than \$300,000;

5 [*and*]

6 (c) Have a responsible managing individual who meets the requirements of ORS 701.091[.]; **and**

7 **(d) Have a responsible managing individual with two or more years of construction ex-**  
8 **perience as described in section 2 of this 2011 Act.**

9 (3) A residential limited contractor shall:

10 (a) Obtain a surety bond under ORS 701.068 in the amount of \$10,000;

11 (b) Obtain general liability insurance under ORS 701.073 in an amount not less than \$100,000;

12 [*and*]

13 (c) Have a responsible managing individual who meets the requirements of ORS 701.091[.]; **and**

14 **(d) Have a responsible managing individual with two or more years of construction ex-**  
15 **perience as described in section 2 of this 2011 Act.**

16 (4) A residential developer shall:

17 (a) Obtain a surety bond under ORS 701.068 in the amount of \$20,000; and

18 (b) Obtain general liability insurance under ORS 701.073 in an amount not less than \$500,000.

19 **SECTION 4.** ORS 701.050 is amended to read:

20 701.050. (1) A **person applying for issuance or renewal of licensing and endorsement as a**  
21 **commercial general contractor or commercial specialty contractor shall certify [*upon license appli-***  
22 ***cation or renewal*] on the application that the [*contractor*] person has one or more key employees**  
23 **with the combined total amount of experience required under ORS 701.084.**

24 (2) Except as provided in subsection (3) of this section, the experience certified under subsection  
25 (1) of this section must be as a licensed contractor, journeyman, foreperson or supervisor or as any  
26 other employee engaged in construction work for a licensed contractor.

27 (3) The following experience or education may substitute for construction experience described  
28 in subsection (2) of this section:

29 (a) Completion of an apprenticeship program may substitute for up to three years of experience;

30 (b) A bachelor's degree in a construction-related field may substitute for up to three years of  
31 experience;

32 (c) A bachelor's degree or master's degree in business, finance or economics may substitute for  
33 up to two years of experience; and

34 (d) An associate's degree in construction or building management may substitute for up to one  
35 year of experience.

36 **SECTION 5. Section 2 of this 2011 Act and the amendments to ORS 701.081 by section 3**  
37 **of this 2011 Act apply to a person whose application for issuance or renewal of licensing and**  
38 **endorsement as a residential general contractor, residential specialty contractor or residen-**  
39 **tial limited contractor is received by the Construction Contractors Board on or after the**  
40 **effective date of this 2011 Act.**