

Senate Bill 902

Sponsored by Senator PROZANSKI, Representative HOLVEY

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**.

Exempts meetings of Interagency Compliance Network and of member agencies for Interagency Compliance Network purposes from public meetings law.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the Interagency Compliance Network; amending ORS 670.700; and declaring an emer-
3 gency.

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

5 **SECTION 1.** ORS 670.700 is amended to read:

6 670.700. (1) There is established an Interagency Compliance Network consisting of:

7 (a) The Department of Justice;

8 (b) The Department of Revenue;

9 (c) The Employment Department;

10 (d) The Department of Consumer and Business Services;

11 (e) The Bureau of Labor and Industries;

12 (f) The Construction Contractors Board;

13 (g) The State Landscape Contractors Board; and

14 (h) Other state agencies that enter into the intergovernmental agreement as described in sub-
15 section (3) of this section.

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

17 (a) Work to establish consistency in agency determinations relating to the classification of
18 workers, including but not limited to classification of workers as independent contractors;

19 (b) Gather and share information relating to persons who pay workers in cash and who do not
20 comply with laws relating to taxation or employment;

21 (c) Gather and share information relating to the misclassification of workers, including but not
22 limited to misclassification as independent contractors;

23 (d) Develop investigative methods for auditing persons who pay workers in cash, or who mis-
24 classify workers, and who do not comply with laws relating to taxation or employment;

25 (e) Conduct joint audits of persons who pay workers in cash, or who misclassify workers, and
26 who do not comply with laws relating to taxation or employment;

27 (f) Identify opportunities for and obstacles to improving compliance with the laws relating to the
28 classification of workers, taxation or employment;

29 (g) Create a coordinated enforcement process for the laws relating to classification of workers
30 that is efficient, fair and effective for the public and the regulatory agencies charged with enforcing
31 laws relating to taxation or employment;

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 (h) Engage in public outreach efforts to educate the public generally on the distinctions between
2 independent contractors and employees and on the laws and regulations governing the duties relat-
3 ing to classification of workers; and

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

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

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

17 **(5) ORS 192.610 to 192.690 do not apply to meetings of the Interagency Compliance Net-**
18 **work or to meetings of representatives from member agencies of the Interagency Compliance**
19 **Network for the purposes set forth in subsection (2) of this section.**

20 **SECTION 2. This 2011 Act being necessary for the immediate preservation of the public**
21 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
22 **on its passage.**

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