

**B-Engrossed**  
**Senate Bill 783**

Ordered by the Senate June 27  
Including Senate Amendments dated April 26 and June 27

Sponsored by COMMITTEE ON BUSINESS AND TRANSPORTATION

**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.

Changes continuing education requirements for residential construction contractors. Establishes differing requirements based on number of years residential contractor has been licensed. **Allows exemption from requirements.**

Revises criteria for Construction Contractors Board approval of continuing education programs. Requires board to establish category system for continuing education programs. [*Requires continuing education based on category.*] **Authorizes fees for board programs and materials, private provider approval and course or program approval and for course attendees of courses.**

Applies to licensing periods [*commencing*] **completed** on or after January 1, 2014.  
Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to construction contractor continuing education; creating new provisions; repealing ORS  
3 701.123, 701.126 and 701.127; and declaring an emergency.

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

5 **SECTION 1. Sections 2 to 5 of this 2013 Act are added to and made a part of ORS chapter**  
6 **701.**

7 **SECTION 2. (1) The Construction Contractors Board shall adopt rules establishing a**  
8 **continuing education system for residential contractors licensed by the board. The rules shall**  
9 **include, but need not be limited to, minimum standards to be met:**

10 (a) **By approved providers of continuing education; and**

11 (b) **By courses that the board approves as continuing education.**

12 (2) **In establishing the continuing education system, the board may give consideration to**  
13 **any continuing education program adopted by national construction licensing trade associ-**  
14 **ations.**

15 **SECTION 3. (1) The Construction Contractors Board may enter into agreements with**  
16 **approved continuing education providers for the providers to offer education developed by the**  
17 **board under section 4 (1)(b) of this 2013 Act. The agreements may provide for the board to**  
18 **collect payment from the providers for the use of the education materials developed by the**  
19 **board.**

20 (2) **In determining whether to approve an entity as a provider of continuing education**  
21 **that is required under section 4 (1)(c) of this 2013 Act, the board shall consider:**

22 (a) **Instructor qualifications; and**

23 (b) **Attendance verification procedures.**

24 (3) **In determining whether to approve a course as continuing education described in**

**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 4 (1)(c) of this 2013 Act, the board shall consider the course content.

2 (4) In determining any process for approving an entity as a provider of continuing edu-  
3 cation that is not required under section 4 (1) of this 2013 Act, the board may consider at-  
4 tendance verification procedures.

5 (5) The board may determine the number of continuing education hours to be credited  
6 to a continuing education course or to a specialized education program described in section  
7 5 of this 2013 Act.

8 (6) The board may establish reasonable fees for approvals of entities as continuing edu-  
9 cation providers, approvals of continuing education courses and approvals of specialized ed-  
10 ucation programs described in section 5 of this 2013 Act and reasonable fees for any  
11 continuing education courses offered by the board. The board may charge an approved pro-  
12 vider a reasonable fee for each attendee completing course hours in approved continuing  
13 education to cover board costs associated with administering the residential contractor  
14 continuing education system.

15 **SECTION 4.** (1)(a) Except as provided in subsections (2) and (6) of this section and section  
16 5 of this 2013 Act, to qualify for the renewal of a residential contractor license the licensee  
17 must complete eight hours of continuing education during the two-year licensing period  
18 preceding the renewal.

19 (b) Three of the hours required under paragraph (a) of this subsection must be education  
20 regarding laws, regulations and business practices. The Construction Contractors Board shall  
21 develop materials for the education. The education must be offered by the board or by an  
22 approved continuing education provider acting under an agreement with the board.

23 (c) Five of the hours required under paragraph (a) of this subsection must be education  
24 from approved providers and be courses the board has approved as continuing education re-  
25 garding one or more of the following:

- 26 (A) Construction business practices.
- 27 (B) Marketing.
- 28 (C) Customer service.
- 29 (D) Accounting.
- 30 (E) Business law.
- 31 (F) Bidding.
- 32 (G) Building codes.
- 33 (H) Safety.
- 34 (I) Energy efficiency.
- 35 (J) Trade specific subjects, such as roofing, excavation or exterior shell construction.
- 36 (K) Other subjects that the board determines by rule to be appropriate.

37 (2)(a) In addition to completing the continuing education required under subsection (1)  
38 of this section, to qualify for the renewal of a residential contractor license the licensee must  
39 complete an additional eight hours of continuing education during the two-year licensing  
40 period preceding the renewal if the residential contractor was not licensed by the board as  
41 a residential contractor during any part of the six-year period immediately preceding the  
42 renewal.

43 (b) Continuing education that is required of a residential contractor under paragraph (a)  
44 of this subsection must be offered by an approved continuing education provider or the  
45 board. The education may be in any subject described in subsection (1) of this section related

1 to construction or the business of the residential contractor.

2 (3) A residential contractor applying for the renewal of a license shall certify the number  
3 of continuing education hours completed by the contractor during the two-year period im-  
4 mediately preceding the renewal. The board may require verification of certified continuing  
5 education hours described in subsection (1)(c) of this section.

6 (4) Notwithstanding subsections (1) to (3) of this section, the board may adopt rules to  
7 adjust the period allowed for the completion of continuing education when the renewing  
8 residential contractor holds a lapsed license described under ORS 701.063 (4).

9 (5) Subsections (1) to (4) of this section do not apply to a residential contractor endorsed  
10 only as a residential developer.

11 (6) The board may exempt residential contractors from continuing education require-  
12 ments under this section. The board may create exemptions under this subsection by rule  
13 or may grant an exemption on a case-by-case basis.

14 **SECTION 5.** The Construction Contractors Board may allow a residential contractor to  
15 participate in a specialized education program under ORS 701.120 in lieu of completing con-  
16 tinuing education described in section 4 (1)(c) of this 2013 Act. The board may establish a  
17 minimum number of specialized education program hours or courses that the residential  
18 contractor must complete during a two-year period to substitute for all or part of the re-  
19 quired continuing education hours. If the specialized education program provides training in  
20 one- and two-family dwelling construction, the board may approve the specialized education  
21 program as a substitute for continuing education only if the program meets the program  
22 criteria described in ORS 455.805 (3) and Department of Consumer and Business Services  
23 rules adopted under ORS 455.810.

24 **SECTION 6.** ORS 701.123, 701.126 and 701.127 are repealed January 1, 2014.

25 **SECTION 7.** (1) Sections 2 to 5 of this 2013 Act become operative January 1, 2014. The  
26 Construction Contractors Board may take any actions prior to January 1, 2014, that the  
27 board deems necessary or expedient to provide for the administration and enforcement of  
28 sections 2 to 5 of this 2013 Act on or after January 1, 2014.

29 (2) Notwithstanding subsection (1) of this section, sections 2 to 5 of this 2013 Act and the  
30 repeal of ORS 701.123, 701.126 and 701.127 by section 6 of this 2013 Act, the board may adopt  
31 rules to allow full or partial continuing education credit for continuing education courses or  
32 specialized education program coursework completed prior to January 1, 2015, regardless of  
33 whether a course or program coursework meets minimum standards adopted by the board  
34 under section 2 of this 2013 Act.

35 **SECTION 8.** This 2013 Act being necessary for the immediate preservation of the public  
36 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect  
37 on its passage.

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