

## SENATE AMENDMENTS TO SENATE BILL 783

By COMMITTEE ON BUSINESS AND TRANSPORTATION

April 26

1 On page 1 of the printed bill, line 2, after the second semicolon delete the rest of the line and  
2 line 3 and insert “amending ORS 701.127; repealing ORS 701.123 and 701.126; and declaring an  
3 emergency.”.

4 Delete lines 5 through 28 and delete pages 2 through 4 and insert:

5 **“SECTION 1. Sections 2 and 3 of this 2013 Act are added to and made a part of ORS**  
6 **chapter 701.**

7 **“SECTION 2. (1) The Construction Contractors Board shall adopt minimum quality**  
8 **standards to be met by public and private providers of approved continuing education pro-**  
9 **grams. In determining the standards to be adopted, the board shall give consideration to any**  
10 **continuing education program standards that have been adopted by national construction li-**  
11 **censing trade associations. Quality standards that the board adopts for providers are in ad-**  
12 **dition to any considerations under subsection (2)(c) of this section that the board uses for**  
13 **evaluating programs.**

14 **“(2)(a) The board shall establish continuing education categories for matters broadly re-**  
15 **lated to:**

16 **“(A) Construction business practices, such as marketing, customer service, accounting,**  
17 **business law, bidding, contractor laws and board rules; or**

18 **“(B) Specific focus subjects, such as roofing, excavation, exterior shell work, building**  
19 **codes, safety issues and energy efficient building.**

20 **“(b) The board may, at its discretion, designate an approved continuing education pro-**  
21 **gram as being within a category described in paragraph (a) of this subsection.**

22 **“(c) The board may determine whether to approve an education program for continuing**  
23 **education purposes and determine the number of hours to be credited to an approved con-**  
24 **tinuing education program. In determining whether to approve a program for continuing**  
25 **education, if the program content is focused primarily on subjects that the board has as-**  
26 **signed to a category described in paragraph (a) of this subsection the board shall examine**  
27 **the program content, instructor qualifications and attendance verification procedures and**  
28 **make other inquiries as the board considers reasonable to ensure that the program presents**  
29 **information concerning topics relevant to construction contractors and is presented in a**  
30 **competent manner to verified attendees. If the program content is not focused primarily on**  
31 **subjects that the board has assigned to a category described in paragraph (a) of this sub-**  
32 **section, the board shall ensure that the program is consistent with the purposes of the**  
33 **continuing education requirements established in section 3 of this 2013 Act and that the**  
34 **program providers report program attendance to the board.**

35 **“(3) The board may establish a fee for determining whether to approve a program for**

1 continuing education purposes and determining the number of hours to be credited for the  
2 program.

3 **“SECTION 3. (1)(a) Except as provided in subsection (3) of this section, a residential**  
4 **contractor must complete at least 16 hours of continuing education during a two-year license**  
5 **period if:**

6 **“(A) The contractor has held a residential contractor license issued by the board for**  
7 **fewer than six consecutive years; or**

8 **“(B) A court judgment or arbitration award was entered against the contractor during**  
9 **the prior licensing period on a claim filed with the Construction Contractors Board or for**  
10 **which an owner gave a notice of defect under ORS 701.565.**

11 **“(b) A contractor that is subject to paragraph (a) of this subsection must complete eight**  
12 **of the continuing education hours in programs assigned to the category described in section**  
13 **2 (2)(a) of this 2013 Act and eight hours in any programs broadly related to the work of the**  
14 **contractor.**

15 **“(2) Except as provided in subsections (1) and (3) of this section, a contractor that has**  
16 **held a residential contractor license issued by the board for six or more consecutive years**  
17 **must complete eight hours of continuing education during a two-year license period. A con-**  
18 **tractor must complete the continuing education in programs assigned to the category de-**  
19 **scribed in section 2 (2)(a) of this 2013 Act.**

20 **“(3) The board may recognize a specialized education program described under ORS**  
21 **701.120 for continuing education purposes. If a continuing education program provides**  
22 **training in the construction of one and two family dwellings, the board may designate the**  
23 **program as a specialized education program only if the program includes instruction that**  
24 **meets the requirements of Department of Consumer and Business Services rules adopted**  
25 **under ORS 455.805.**

26 **“(4) A residential contractor applying for renewal of a license shall certify the number**  
27 **of continuing education hours completed during the preceding licensing period. The board**  
28 **may require training or education provider verification that the residential contractor com-**  
29 **pleted the continuing education. A residential contractor may not renew a license issued by**  
30 **the board unless the contractor has completed, at a minimum, the applicable number of**  
31 **hours and type of continuing education required under this section.**

32 **“(5) A residential developer is not subject to continuing education requirements under**  
33 **this section.**

34 **“SECTION 4. ORS 701.123 and 701.126 are repealed.**

35 **“SECTION 5. ORS 701.127 is amended to read:**

36 **“701.127. (1) Notwithstanding [ORS 701.126] section 2 of this 2013 Act, the Construction Con-**  
37 **tractors Board shall adopt criteria for allowing the exemption of a residential contractor from any**  
38 **board rule requiring continuing education in state building code compliance or requiring building**  
39 **exterior shell training.**

40 **“(2) The board may require a residential contractor to take continuing education or training in**  
41 **other subjects to offset the reduction in continuing education or training hours created by the ex-**  
42 **emption described in subsection (1) of this section.**

43 **“SECTION 6. Sections 2 and 3 of this 2013 Act, the amendments to ORS 701.127 by section**  
44 **5 of this 2013 Act and the repeal of ORS 701.123 and 701.126 by section 4 of this 2013 Act apply**  
45 **to licensing periods that commence on or after January 1, 2014. Residential contractor con-**

1 **tinuing education requirements for licensing periods commencing prior to January 1, 2014,**  
2 **must be completed in compliance with ORS 701.123 and 701.126 as set forth in the 2011 Edi-**  
3 **tion of Oregon Revised Statutes and with Construction Contractor Board rules adopted for**  
4 **carrying out ORS 701.123 and 701.126.**

5 **“SECTION 7. This 2013 Act being necessary for the immediate preservation of the public**  
6 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
7 **on its passage.”.**

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