

SENATE AMENDMENTS TO A-ENGROSSED SENATE BILL 783

By JOINT COMMITTEE ON WAYS AND MEANS

June 27

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

4 Delete lines 5 through 24 and delete pages 2 and 3 and insert:

5 **“SECTION 1. Sections 2 to 5 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 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**
13 **to any continuing education program adopted by national construction licensing trade asso-**
14 **ciations.**

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

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

29 **“(5) The board may determine the number of continuing education hours to be credited**
30 **to a continuing education course or to a specialized education program described in section**
31 **5 of this 2013 Act.**

32 **“(6) The board may establish reasonable fees for approvals of entities as continuing edu-**
33 **cation providers, approvals of continuing education courses and approvals of specialized ed-**
34 **ucation programs described in section 5 of this 2013 Act and reasonable fees for any**
35 **continuing education courses offered by the board. The board may charge an approved pro-**

1 vider a reasonable fee for each attendee completing course hours in approved continuing
2 education to cover board costs associated with administering the residential contractor
3 continuing education system.

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

8 **“(b) Three of the hours required under paragraph (a) of this subsection must be educa-**
9 **tion regarding laws, regulations and business practices. The Construction Contractors Board**
10 **shall develop materials for the education. The education must be offered by the board or by**
11 **an approved continuing education provider acting under an agreement with the board.**

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

15 **“(A) Construction business practices.**

16 **“(B) Marketing.**

17 **“(C) Customer service.**

18 **“(D) Accounting.**

19 **“(E) Business law.**

20 **“(F) Bidding.**

21 **“(G) Building codes.**

22 **“(H) Safety.**

23 **“(I) Energy efficiency.**

24 **“(J) Trade specific subjects, such as roofing, excavation or exterior shell construction.**

25 **“(K) Other subjects that the board determines by rule to be appropriate.**

26 **“(2)(a) In addition to completing the continuing education required under subsection (1)**
27 **of this section, to qualify for the renewal of a residential contractor license the licensee must**
28 **complete an additional eight hours of continuing education during the two-year licensing**
29 **period preceding the renewal if the residential contractor was not licensed by the board as**
30 **a residential contractor during any part of the six-year period immediately preceding the**
31 **renewal.**

32 **“(b) Continuing education that is required of a residential contractor under paragraph (a)**
33 **of this subsection must be offered by an approved continuing education provider or the**
34 **board. The education may be in any subject described in subsection (1) of this section related**
35 **to construction or the business of the residential contractor.**

36 **“(3) A residential contractor applying for the renewal of a license shall certify the num-**
37 **ber of continuing education hours completed by the contractor during the two-year period**
38 **immediately preceding the renewal. The board may require verification of certified continu-**
39 **ing education hours described in subsection (1)(c) of this section.**

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

43 **“(5) Subsections (1) to (4) of this section do not apply to a residential contractor endorsed**
44 **only as a residential developer.**

45 **“(6) The board may exempt residential contractors from continuing education require-**

1 ments under this section. The board may create exemptions under this subsection by rule
2 or may grant an exemption on a case-by-case basis.

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

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

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

18 **“(2)** Notwithstanding subsection (1) of this section, sections 2 to 5 of this 2013 Act and
19 the repeal of ORS 701.123, 701.126 and 701.127 by section 6 of this 2013 Act, the board may
20 adopt rules to allow full or partial continuing education credit for continuing education
21 courses or specialized education program coursework completed prior to January 1, 2015,
22 regardless of whether a course or program coursework meets minimum standards adopted
23 by the board under section 2 of this 2013 Act.

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

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