

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2801**

1 In line 2 of the printed bill, before the period insert “creating new pro-  
2 visions; amending ORS 701.005, 701.021 and 701.081; and declaring an emer-  
3 gency”.

4 Delete lines 4 through 25 and insert:  
5

6 **“WHOLE BUILDING ASSESSMENT**

7  
8 **“SECTION 1. (1) If an electric company or Oregon Community**  
9 **Power invests moneys collected as a public purpose charge under ORS**  
10 **757.612 on new cost-effective local energy conservation, or if the non-**  
11 **governmental entity described in ORS 757.612 (3)(g) invests moneys**  
12 **paid to the nongovernmental entity under ORS 757.612 (3)(d) on new**  
13 **cost-effective local energy conservation, and if the investment involves**  
14 **updating the energy efficiency of a residential or nonresidential**  
15 **building, the electric company, Oregon Community Power or the**  
16 **nongovernmental entity may make those investments by conducting**  
17 **a whole building assessment of the energy efficiency of the building**  
18 **and, in consideration of the whole building assessment, by maximizing**  
19 **the overall energy efficiency of the building. For purposes of this**  
20 **subsection, a ‘whole building assessment’ means a single assessment**  
21 **of savings opportunities, as identified by the Public Utility Commission**  
22 **by rule or order.**

1       “(2) An investment described in subsection (1) of this section must  
2 be limited to an investment in a single project, as authorized by the  
3 commission by rule or order.

4  
5                   **“HOME ENERGY PERFORMANCE SCORES**

6  
7       **“SECTION 2. Sections 3 to 7 of this 2013 Act are added to and made**  
8 **a part of ORS chapter 701.**

9       **“SECTION 3. As used in sections 3 to 7 of this 2013 Act:**

10       **“(1) ‘Home energy assessor’ means a person who assigns residential**  
11 **buildings a home energy performance score.**

12       **“(2) ‘Home energy audit’ means the evaluation or testing of com-**  
13 **ponents or systems in a residential building for the purpose of identi-**  
14 **fyng options for increasing energy conservation and energy efficiency.**

15       **“(3) ‘Home energy performance score’ means a score assigned to a**  
16 **residential building using the home energy performance score system**  
17 **adopted by the State Department of Energy under section 12 of this**  
18 **2013 Act.**

19       **“SECTION 4. (1) An individual may not undertake, offer to under-**  
20 **take or submit a bid to do work as a home energy assessor unless the**  
21 **individual is certified as a home energy assessor under section 5 of this**  
22 **2013 Act.**

23       **“(2) A business may not undertake, offer to undertake or submit a**  
24 **bid to assign home energy performance scores unless the business:**

25       **“(a) Is licensed by the Construction Contractors Board under this**  
26 **chapter or endorsed as a residential contractor by the board under**  
27 **section 6 of this 2013 Act; and**

28       **“(b) Has an owner or an employee who is certified as a home energy**  
29 **assessor under section 5 of this 2013 Act.**

30       **“(3) A person may not use the title of home energy assessor or any**

1 title that indicates or tends to indicate that the person is a home en-  
2 ergy assessor or an assignor of home energy performance scores unless  
3 the person is certified as a home energy assessor under section 5 of  
4 this 2013 Act or is a business licensed by the board under this chapter  
5 or endorsed by the board under section 6 of this 2013 Act that has an  
6 owner or an employee who is certified as a home energy assessor un-  
7 der section 5 of this 2013 Act.

8 “(4) A person may not use any sign, card or device that indicates  
9 or tends to indicate that the person is a home energy assessor or an  
10 assignor of home energy performance scores unless the person is cer-  
11 tified as a home energy assessor under section 5 of this 2013 Act or is  
12 a business licensed by the board under this chapter or endorsed by the  
13 board under section 6 of this 2013 Act that has an owner or an em-  
14 ployee who is certified as a home energy assessor under section 5 of  
15 this 2013 Act.

16 **“SECTION 5. (1) The Construction Contractors Board shall certify**  
17 **an individual as a home energy assessor if the individual meets the**  
18 **requirements of this section and of any rule adopted by the board un-**  
19 **der this section. A home energy assessor certificate must be renewed**  
20 **annually.**

21 “(2) The board shall require that an applicant for a home energy  
22 assessor certificate present proof of passing a training program desig-  
23 nated by the State Department of Energy under section 12 of this 2013  
24 Act.

25 “(3) The board may adopt rules to regulate the practice of assigning  
26 home energy performance scores, including:

27 “(a) Prescribing the form and manner of applying for a home en-  
28 ergy assessor certificate;

29 “(b) Establishing procedures for the issuance, renewal or revocation  
30 of a home energy assessor certificate; and

1       “(c) Establishing fees necessary for the administration of sections  
2       3 to 7 of this 2013 Act that do not exceed the following amounts:

3       “(A) \$100 for application for a home energy assessor certificate;

4       “(B) \$100 for issuance of an initial one-year home energy assessor  
5       certificate; and

6       “(C) \$100 for renewal of a one-year home energy assessor certificate.

7       “SECTION 6. (1) A home energy performance score contractor  
8       endorsement authorizes the holder to operate a business assigning  
9       home energy performance scores, but does not authorize the holder  
10      to engage in other contractor activities except as authorized under  
11      subsection (2) of this section.

12      “(2) A home energy performance score contractor endorsed under  
13      this section may not perform work as a contractor other than to:

14      “(a) Provide a home energy audit;

15      “(b) Assign a home energy performance score;

16      “(c) Identify options for increasing energy conservation and energy  
17      efficiency; and

18      “(d) Provide cost estimates for improvements that will increase  
19      energy conservation and energy efficiency.

20      “SECTION 7. (1) Notwithstanding ORS 701.126, the Construction  
21      Contractors Board may not impose a continuing education require-  
22      ment for a home energy assessor or a home energy performance score  
23      contractor.

24      “(2) Notwithstanding ORS 701.122, the board by not require a home  
25      energy assessor or a home energy performance score contractor to  
26      take a test measuring the knowledge of the home energy assessor,  
27      contractor or responsible managing individual regarding business  
28      practices and laws affecting construction contractors.

29      “SECTION 8. ORS 701.005 is amended to read:

30      “701.005. As used in this chapter:

1 “(1) ‘Board’ means the Construction Contractors Board.

2 “(2) ‘Commercial contractor’ means a licensed contractor that holds an  
3 endorsement as a:

4 “(a) Commercial general contractor level 1;  
5 “(b) Commercial specialty contractor level 1;  
6 “(c) Commercial general contractor level 2;  
7 “(d) Commercial specialty contractor level 2; or  
8 “(e) Commercial developer.

9 “(3) ‘Commercial developer’ means a developer of property that is zoned  
10 for or intended for use compatible with a small commercial or large com-  
11 mercial structure.

12 “(4) ‘Construction debt’ means an amount owed under:

13 “(a) An order or arbitration award issued by the board that has become  
14 final by operation of law;  
15 “(b) A judgment, arbitration award or civil penalty that has become final  
16 by operation of law arising from construction activities within the United  
17 States; or  
18 “(c) A judgment or civil penalty that has become final by operation of law  
19 arising from a failure to comply with ORS 656.017.

20 “(5) ‘Contractor’ means any of the following:

21 “(a) A person that, for compensation or with the intent to sell, arranges  
22 or undertakes or offers to undertake or submits a bid to construct, alter,  
23 repair, add to, subtract from, improve, inspect, move, wreck or demolish, for  
24 another, a building, highway, road, railroad, excavation or other structure,  
25 project, development or improvement attached to real estate, or to do any  
26 part thereof.

27 “(b) A person that purchases or owns property and constructs or for  
28 compensation arranges for the construction of one or more residential  
29 structures or small commercial structures with the intent of selling the  
30 structures.

1 “(c) A school district, as defined in ORS 332.002, that permits students to  
2 construct a residential structure or small commercial structure as an edu-  
3 cational experience to learn building techniques and sells the completed  
4 structure.

5 “(d) A community college district, as defined in ORS 341.005, that permits  
6 students to construct a residential structure or small commercial structure  
7 as an educational experience to learn building techniques and sells the  
8 completed structure.

9 “(e) A person except a landscape contracting business, nurseryman,  
10 gardener or person engaged in the commercial harvest of forest products,  
11 that is engaged as an independent contractor to remove trees, prune trees,  
12 remove tree limbs or stumps or to engage in tree or limb guying.

13 “(f) A business that supplies the services of a home inspector certified  
14 under ORS 701.350 or a cross-connection inspector and backflow assembly  
15 tester certified under ORS 448.279.

16 “(g) A person that for compensation arranges, undertakes, offers to  
17 undertake or submits a bid to clean or service chimneys.

18 “(6) ‘Developer’ means a contractor that owns property or an interest in  
19 property and engages in the business of arranging for construction work or  
20 performing other activities associated with the improvement of real property,  
21 with the intent to sell the property.

22 “(7)(a) ‘General contractor’ means a contractor whose business operations  
23 require the use of more than two unrelated building trades or crafts that the  
24 contractor supervises or performs in whole or part, whenever the sum of all  
25 contracts on any single property, including materials and labor, exceeds an  
26 amount established by rule by the board.

27 “(b) ‘General contractor’ does not mean a specialty contractor or a resi-  
28 dential limited contractor.

29 “(8)(a) ‘Home improvement’ means a renovation, remodel, repair or alter-  
30 ation by a residential contractor to an existing owner-occupied:

1       “(A) Residence that is a site-built home;

2       “(B) Condominium, rental residential unit or other residential dwelling  
3 unit that is part of a larger structure, if the property interest in the unit is  
4 separate from the property interest in the larger structure;

5       “(C) Modular home constructed off-site;

6       “(D) Manufactured dwelling; or

7       “(E) Floating home, as defined in ORS 830.700.

8       “(b) ‘Home improvement’ does not include a renovation, remodel, repair  
9 or alteration by a residential contractor:

10       “(A) To a structure that contains one or more dwelling units and is four  
11 stories or less above grade; or

12       “(B) That the residential contractor performed in the course of con-  
13 structing a new residential structure.

14       “(9)(a) ‘Home inspector’ means a person who, for a fee, inspects and pro-  
15 vides written reports on the overall physical condition of a residential  
16 structure.

17       “(b) ‘Home inspector’ does not include persons certified under ORS chap-  
18 ter 455 to inspect new, repaired or altered structures for compliance with the  
19 state building code.

20       “(10) ‘Key employee’ means an employee or owner of a contractor who is  
21 a corporate officer, manager, superintendent, foreperson or lead person or  
22 any other employee the board identifies by rule.

23       “(11) ‘Large commercial structure’ means a structure that is not a resi-  
24 dential structure or small commercial structure.

25       “(12) ‘Officer’ means any of the following persons:

26       “(a) A president, vice president, secretary, treasurer or director of a cor-  
27 poration.

28       “(b) A general partner in a limited partnership.

29       “(c) A manager in a manager-managed limited liability company.

30       “(d) A member of a member-managed limited liability company.

1 “(e) A trustee.

2 “(f) A person the board defines by rule as an officer. The definition of  
3 officer adopted by board rule may include persons not listed in this sub-  
4 section who may exercise substantial control over a business.

5 “(13) ‘Residential contractor’ means a licensed contractor that holds an  
6 endorsement as a:

7 “(a) Residential general contractor;

8 “(b) Residential specialty contractor;

9 “(c) Residential limited contractor; [*or*]

10 “(d) Residential developer[.]; **or**

11 **“(e) Home energy performance score contractor.**

12 “(14) ‘Residential developer’ means a developer of property that is zoned  
13 for or intended for use compatible with a residential or small commercial  
14 structure.

15 “(15)(a) ‘Residential structure’ means:

16 “(A) A residence that is a site-built home;

17 “(B) A structure that contains one or more dwelling units and is four  
18 stories or less above grade;

19 “(C) A condominium, rental residential unit or other residential dwelling  
20 unit that is part of a larger structure, if the property interest in the unit is  
21 separate from the property interest in the larger structure;

22 “(D) A modular home constructed off-site;

23 “(E) A manufactured dwelling;

24 “(F) A floating home as defined in ORS 830.700; or

25 “(G) An appurtenance to a home, structure, unit or dwelling described in  
26 subparagraphs (A) to (F) of this paragraph.

27 “(b) ‘Residential structure’ does not mean:

28 “(A) Subject to paragraph (a)(C) of this subsection, a structure that con-  
29 tains both residential and nonresidential units;

30 “(B) Transient lodging;



1 “(C) A residential school or residence hall;

2 “(D) A state or local correctional facility other than a local facility for  
3 persons enrolled in work release programs maintained under ORS 144.460;

4 “(E) A youth correction facility as defined in ORS 420.005;

5 “(F) A youth care center operated by a county juvenile department under  
6 administrative control of a juvenile court pursuant to ORS 420.855 to 420.885;

7 “(G) A detention facility as defined in ORS 419A.004;

8 “(H) A nursing home;

9 “(I) A hospital; or

10 “(J) A place constructed primarily for recreational activities.

11 “(16) ‘Responsible managing individual’ means an individual who:

12 “(a) Is an owner described in ORS 701.094 or an employee of the business;

13 “(b) Exercises management or supervisory authority, as defined by the  
14 board by rule, over the construction activities of the business; and

15 “(c)(A) Successfully completed the training and testing required for li-  
16 censing under ORS 701.122 within a period the board identifies by rule;

17 “(B) Demonstrated experience the board requires by rule; or

18 “(C) Complied with the licensing requirements of ORS 446.395.

19 “(17) ‘Small commercial structure’ means:

20 “(a) A nonresidential structure that has a ground area of 10,000 square  
21 feet or less, including exterior walls, and a height of not more than 20 feet  
22 from the top surface of the lowest flooring to the highest interior overhead  
23 finish of the structure;

24 “(b) A nonresidential leasehold, rental unit or other unit that is part of  
25 a larger structure, if the unit has a ground area of 12,000 square feet or less,  
26 excluding exterior walls, and a height of not more than 20 feet from the top  
27 surface of the lowest flooring to the highest interior overhead finish of the  
28 unit;

29 “(c) A nonresidential structure of any size for which the contract price  
30 of all construction contractor work to be performed on the structure as part

1 of a construction project does not total more than \$250,000; or

2 “(d) An appurtenance to a structure or unit described in paragraphs (a)  
3 to (c) of this subsection.

4 “(18) ‘Specialty contractor’ means a contractor who performs work on a  
5 structure, project, development or improvement and whose operations as such  
6 do not fall within the definition of ‘general contractor.’ ‘Specialty  
7 contractor’ includes a person who performs work regulated under ORS  
8 446.395.

9 “(19) ‘Zero-lot-line dwelling’ means a single-family dwelling unit con-  
10 structed in a group of attached units in which:

11 “(a) Each attached unit extends from foundation to roof with open space  
12 on two sides; and

13 “(b) Each dwelling unit is separated by a property line.

14 **“SECTION 9.** ORS 701.005, as amended by section 59, chapter 630, Oregon  
15 Laws 2011, is amended to read:

16 “701.005. As used in this chapter:

17 “(1) ‘Board’ means the Construction Contractors Board.

18 “(2) ‘Commercial contractor’ means a licensed contractor that holds an  
19 endorsement as a:

20 “(a) Commercial general contractor level 1;

21 “(b) Commercial specialty contractor level 1;

22 “(c) Commercial general contractor level 2;

23 “(d) Commercial specialty contractor level 2; or

24 “(e) Commercial developer.

25 “(3) ‘Commercial developer’ means a developer of property that is zoned  
26 for or intended for use compatible with a small commercial or large com-  
27 mercial structure.

28 “(4) ‘Construction debt’ means an amount owed under:

29 “(a) An order or arbitration award issued by the board that has become  
30 final by operation of law;

1       “(b) A judgment or civil penalty that has become final by operation of law  
2 arising from construction activities within the United States; or

3       “(c) A judgment or civil penalty that has become final by operation of law  
4 arising from a failure to comply with ORS 656.017.

5       “(5) ‘Contractor’ means any of the following:

6       “(a) A person that, for compensation or with the intent to sell, arranges  
7 or undertakes or offers to undertake or submits a bid to construct, alter,  
8 repair, add to, subtract from, improve, inspect, move, wreck or demolish, for  
9 another, a building, highway, road, railroad, excavation or other structure,  
10 project, development or improvement attached to real estate, or to do any  
11 part thereof.

12       “(b) A person that purchases or owns property and constructs or for  
13 compensation arranges for the construction of one or more residential  
14 structures or small commercial structures with the intent of selling the  
15 structures.

16       “(c) A school district, as defined in ORS 332.002, that permits students to  
17 construct a residential structure or small commercial structure as an edu-  
18 cational experience to learn building techniques and sells the completed  
19 structure.

20       “(d) A community college district, as defined in ORS 341.005, that permits  
21 students to construct a residential structure or small commercial structure  
22 as an educational experience to learn building techniques and sells the  
23 completed structure.

24       “(e) A person except a landscape contracting business, nurseryman,  
25 gardener or person engaged in the commercial harvest of forest products,  
26 that is engaged as an independent contractor to remove trees, prune trees,  
27 remove tree limbs or stumps or to engage in tree or limb guying.

28       “(f) A business that supplies the services of a home inspector certified  
29 under ORS 701.350 or a cross-connection inspector and backflow assembly  
30 tester certified under ORS 448.279.

1 “(g) A person that for compensation arranges, undertakes, offers to  
2 undertake or submits a bid to clean or service chimneys.

3 “(6) ‘Developer’ means a contractor that owns property or an interest in  
4 property and engages in the business of arranging for construction work or  
5 performing other activities associated with the improvement of real property,  
6 with the intent to sell the property.

7 “(7)(a) ‘General contractor’ means a contractor whose business operations  
8 require the use of more than two unrelated building trades or crafts that the  
9 contractor supervises or performs in whole or part, whenever the sum of all  
10 contracts on any single property, including materials and labor, exceeds an  
11 amount established by rule by the board.

12 “(b) ‘General contractor’ does not mean a specialty contractor or a resi-  
13 dential limited contractor.

14 “(8)(a) ‘Home improvement’ means a renovation, remodel, repair or alter-  
15 ation by a residential contractor to an existing owner-occupied:

16 “(A) Residence that is a site-built home;

17 “(B) Condominium, rental residential unit or other residential dwelling  
18 unit that is part of a larger structure, if the property interest in the unit is  
19 separate from the property interest in the larger structure;

20 “(C) Modular home constructed off-site;

21 “(D) Manufactured dwelling; or

22 “(E) Floating home, as defined in ORS 830.700.

23 “(b) ‘Home improvement’ does not include a renovation, remodel, repair  
24 or alteration by a residential contractor:

25 “(A) To a structure that contains one or more dwelling units and is four  
26 stories or less above grade; or

27 “(B) That the residential contractor performed in the course of con-  
28 structing a new residential structure.

29 “(9)(a) ‘Home inspector’ means a person who, for a fee, inspects and pro-  
30 vides written reports on the overall physical condition of a residential

1 structure.

2 “(b) ‘Home inspector’ does not include persons certified under ORS chap-  
3 ter 455 to inspect new, repaired or altered structures for compliance with the  
4 state building code.

5 “(10) ‘Key employee’ means an employee or owner of a contractor who is  
6 a corporate officer, manager, superintendent, foreperson or lead person or  
7 any other employee the board identifies by rule.

8 “(11) ‘Large commercial structure’ means a structure that is not a resi-  
9 dential structure or small commercial structure.

10 “(12) ‘Officer’ means any of the following persons:

11 “(a) A president, vice president, secretary, treasurer or director of a cor-  
12 poration.

13 “(b) A general partner in a limited partnership.

14 “(c) A manager in a manager-managed limited liability company.

15 “(d) A member of a member-managed limited liability company.

16 “(e) A trustee.

17 “(f) A person the board defines by rule as an officer. The definition of  
18 officer adopted by board rule may include persons not listed in this sub-  
19 section who may exercise substantial control over a business.

20 “(13) ‘Residential contractor’ means a licensed contractor that holds an  
21 endorsement as a:

22 “(a) Residential general contractor;

23 “(b) Residential specialty contractor;

24 “(c) Residential limited contractor; *[or]*

25 “(d) Residential developer[.]; **or**

26 **“(e) Home energy performance score contractor.**

27 “(14) ‘Residential developer’ means a developer of property that is zoned  
28 for or intended for use compatible with a residential or small commercial  
29 structure.

30 “(15)(a) ‘Residential structure’ means:

1       “(A) A residence that is a site-built home;

2       “(B) A structure that contains one or more dwelling units and is four  
3 stories or less above grade;

4       “(C) A condominium, rental residential unit or other residential dwelling  
5 unit that is part of a larger structure, if the property interest in the unit is  
6 separate from the property interest in the larger structure;

7       “(D) A modular home constructed off-site;

8       “(E) A manufactured dwelling;

9       “(F) A floating home as defined in ORS 830.700; or

10       “(G) An appurtenance to a home, structure, unit or dwelling described in  
11 subparagraphs (A) to (F) of this paragraph.

12       “(b) ‘Residential structure’ does not mean:

13       “(A) Subject to paragraph (a)(C) of this subsection, a structure that con-  
14 tains both residential and nonresidential units;

15       “(B) Transient lodging;

16       “(C) A residential school or residence hall;

17       “(D) A state or local correctional facility other than a local facility for  
18 persons enrolled in work release programs maintained under ORS 144.460;

19       “(E) A youth correction facility as defined in ORS 420.005;

20       “(F) A youth care center operated by a county juvenile department under  
21 administrative control of a juvenile court pursuant to ORS 420.855 to 420.885;

22       “(G) A detention facility as defined in ORS 419A.004;

23       “(H) A nursing home;

24       “(I) A hospital; or

25       “(J) A place constructed primarily for recreational activities.

26       “(16) ‘Responsible managing individual’ means an individual who:

27       “(a) Is an owner described in ORS 701.094 or an employee of the business;

28       “(b) Exercises management or supervisory authority, as defined by the  
29 board by rule, over the construction activities of the business; and

30       “(c)(A) Successfully completed the training and testing required for li-

1 censing under ORS 701.122 within a period the board identifies by rule;

2 “(B) Demonstrated experience the board requires by rule; or

3 “(C) Complied with the licensing requirements of ORS 446.395.

4 “(17) ‘Small commercial structure’ means:

5 “(a) A nonresidential structure that has a ground area of 10,000 square  
6 feet or less, including exterior walls, and a height of not more than 20 feet  
7 from the top surface of the lowest flooring to the highest interior overhead  
8 finish of the structure;

9 “(b) A nonresidential leasehold, rental unit or other unit that is part of  
10 a larger structure, if the unit has a ground area of 12,000 square feet or less,  
11 excluding exterior walls, and a height of not more than 20 feet from the top  
12 surface of the lowest flooring to the highest interior overhead finish of the  
13 unit;

14 “(c) A nonresidential structure of any size for which the contract price  
15 of all construction contractor work to be performed on the structure as part  
16 of a construction project does not total more than \$250,000; or

17 “(d) An appurtenance to a structure or unit described in paragraphs (a)  
18 to (c) of this subsection.

19 “(18) ‘Specialty contractor’ means a contractor who performs work on a  
20 structure, project, development or improvement and whose operations as such  
21 do not fall within the definition of ‘general contractor.’ ‘Specialty  
22 contractor’ includes a person who performs work regulated under ORS  
23 446.395.

24 “(19) ‘Zero-lot-line dwelling’ means a single-family dwelling unit con-  
25 structed in a group of attached units in which:

26 “(a) Each attached unit extends from foundation to roof with open space  
27 on two sides; and

28 “(b) Each dwelling unit is separated by a property line.

29 **“SECTION 10.** ORS 701.021 is amended to read:

30 “701.021. (1) Except as provided in ORS 701.010, a person or joint venture

1 that undertakes, offers to undertake or submits a bid to do work as a con-  
2 tractor must have a current license issued by the Construction Contractors  
3 Board and possess an appropriate endorsement as provided in this section.  
4 For purposes of offering to undertake or submitting a bid to do work, a  
5 partnership or joint venture is licensed and endorsed if any partner or joint  
6 venturer whose name appears in the business name of the partnership or  
7 joint venture has a current license issued by the board and possesses an ap-  
8 propriate endorsement.

9 “(2) A person or joint venture that undertakes, offers to undertake or  
10 submits a bid to do work as a contractor in preparation for or in connection  
11 with a residential structure must have one of the following endorsements:

12 “(a) Residential general contractor.

13 “(b) Residential specialty contractor.

14 “(c) Residential limited contractor.

15 “(d) Residential developer.

16 “(e) **Home energy performance score contractor.**

17 “(3) A person or joint venture that undertakes, offers to undertake or  
18 submits a bid to do work as a contractor in preparation for or in connection  
19 with a small commercial structure must have one of the following endorse-  
20 ments:

21 “(a) Residential general contractor.

22 “(b) Residential specialty contractor.

23 “(c) Residential limited contractor.

24 “(d) Residential developer.

25 “(e) Commercial general contractor level 1.

26 “(f) Commercial specialty contractor level 1.

27 “(g) Commercial general contractor level 2.

28 “(h) Commercial specialty contractor level 2.

29 “(i) Commercial developer.

30 “(4) A person or joint venture that undertakes, offers to undertake or



1 submits a bid to do work as a contractor in preparation for or in connection  
2 with a large commercial structure must have one of the following endorse-  
3 ments:

4 “(a) Commercial general contractor level 1.

5 “(b) Commercial specialty contractor level 1.

6 “(c) Commercial general contractor level 2.

7 “(d) Commercial specialty contractor level 2.

8 “(e) Commercial developer.

9 **“SECTION 11.** ORS 701.081 is amended to read:

10 “701.081. (1) A residential general contractor shall:

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

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

14 “(c) Have a responsible managing individual who meets the requirements  
15 of ORS 701.091.

16 “(2) A residential specialty contractor shall:

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

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

20 “(c) Have a responsible managing individual who meets the requirements  
21 of ORS 701.091.

22 “(3) A residential limited contractor shall:

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

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

26 “(c) Have a responsible managing individual who meets the requirements  
27 of ORS 701.091.

28 “(4) A residential developer shall:

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

30 and

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

3       **“(5) A home energy performance score contractor shall:**

4       **“(a) Obtain a surety bond under ORS 701.068 in the amount of**  
5 **\$10,000;**

6       **“(b) Obtain general liability insurance under ORS 701.073 in an**  
7 **amount of not less than \$100,000; and**

8       **“(c) Have an owner or employee that is certified by the board as a**  
9 **home energy assessor.**

10       **“SECTION 12. (1) As used in this section, ‘home energy assessor,’**  
11 **‘home energy audit’ and ‘home energy performance score’ have the**  
12 **meanings given those terms in section 3 of this 2013 Act.**

13       **“(2) In consultation with the Public Utility Commission, the State**  
14 **Department of Energy shall adopt by rule a home energy performance**  
15 **score system by which a person may assign a residential building a**  
16 **home energy performance score for the purpose of evaluating the en-**  
17 **ergy conservation and energy efficiency of the building.**

18       **“(3) The department shall designate by rule programs for the**  
19 **training of home energy assessors. Programs designated by the de-**  
20 **partment under this subsection must ensure competency in conducting**  
21 **home energy audits and assigning home energy performance scores.**

22       **“(4) The department may adopt by rule requirements under which**  
23 **home energy assessors who are certified under section 5 of this 2013**  
24 **Act must report to the department the home energy performance**  
25 **scores assigned by the home energy assessors. The department shall**  
26 **keep and maintain a database of information reported to the depart-**  
27 **ment under this subsection.**

28

29

**“REAL ESTATE APPRAISAL ACTIVITY**

30

1       **“SECTION 13. Section 14 of this 2013 Act is added to and made a**  
2 **part of ORS chapter 674.**

3       **“SECTION 14. The Appraiser Certification and Licensure Board**  
4 **shall establish a certification program for state licensed appraisers and**  
5 **state certified appraisers for the purpose of certifying state licensed**  
6 **appraisers and state certified appraisers as competent to prepare,**  
7 **complete and issue an opinion on the value associated with the energy**  
8 **efficiency features of a building located on real property.**

9  
10   **“MISCELLANEOUS**

11  
12       **“SECTION 15. (1) Sections 1 to 7, 12 and 14 of this 2013 Act and the**  
13 **amendments to statutes by sections 8 to 11 of this 2013 Act become**  
14 **operative on July 1, 2014.**

15       **“(2) The Public Utility Commission, Construction Contractors**  
16 **Board, State Department of Energy and Appraiser Certification and**  
17 **Licensure Board may take any action necessary before the operative**  
18 **date specified in subsection (1) of this section to enable the Public**  
19 **Utility Commission, Construction Contractors Board, State Depart-**  
20 **ment of Energy and Appraiser Certification and Licensure Board to**  
21 **exercise, on and after the effective date of this 2013 Act, all the duties,**  
22 **functions and powers conferred on the Public Utility Commission,**  
23 **Construction Contractors Board, State Department of Energy and**  
24 **Appraiser Certification and Licensure Board by sections 1 to 7, 12 and**  
25 **14 of this 2013 Act and the amendments to statutes by sections 8 to 11**  
26 **of this 2013 Act.**

27       **“SECTION 16. The unit captions used in this 2013 Act are provided**  
28 **only for the convenience of the reader and do not become part of the**  
29 **statutory law of this state or express any legislative intent in the**  
30 **enactment of this 2013 Act.**

1       **“SECTION 17. This 2013 Act being necessary for the immediate**  
2 **preservation of the public peace, health and safety, an emergency is**  
3 **declared to exist, and this 2013 Act takes effect on its passage.”.**

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