

**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 performance score’ means a score assigned to a**  
13 **residential building using the home energy performance score system**  
14 **adopted by the State Department of Energy under section 12 of this**  
15 **2013 Act.**

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

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

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

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

27       **“(3) A person may not use the title of home energy assessor or any**  
28 **title that indicates or tends to indicate that the person is a home en-**  
29 **ergy assessor or an assignor of home energy performance scores unless**  
30 **the person is certified as a home energy assessor under section 5 of**

1 this 2013 Act or is a business licensed by the board under this chapter  
2 or endorsed by the board under section 6 of this 2013 Act that has an  
3 owner or an employee who is certified as a home energy assessor un-  
4 der section 5 of this 2013 Act.

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

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

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

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

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

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

28 “(c) Establishing fees necessary for the administration of sections  
29 3 to 7 of this 2013 Act that do not exceed the following amounts:

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

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

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

4       **“SECTION 6. A home energy performance score contractor**  
5 **endorsement authorizes the holder to operate a business assigning**  
6 **home energy performance scores.**

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

11       **“(2) Notwithstanding ORS 701.122, the board may not require a**  
12 **home energy assessor or a home energy performance score contractor**  
13 **to take a test measuring the knowledge of the home energy assessor,**  
14 **contractor or responsible managing individual regarding business**  
15 **practices and laws affecting construction contractors.**

16       **“SECTION 8. ORS 701.005 is amended to read:**

17       **“701.005. As used in this chapter:**

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

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

21       **“(a) Commercial general contractor level 1;**

22       **“(b) Commercial specialty contractor level 1;**

23       **“(c) Commercial general contractor level 2;**

24       **“(d) Commercial specialty contractor level 2; or**

25       **“(e) Commercial developer.**

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

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

30       **“(a) An order or arbitration award issued by the board that has become**

1 final by operation of law;

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

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

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

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

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

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

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

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

30 “(f) A business that supplies the services of a home inspector certified

1 under ORS 701.350 or a cross-connection inspector and backflow assembly  
2 tester certified under ORS 448.279.

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

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

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

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

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

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

19 “(B) 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 “(C) Modular home constructed off-site;

23 “(D) Manufactured dwelling; or

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

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

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

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

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

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

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

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

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

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

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

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

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

18 “(e) A trustee.

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

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

24 “(a) Residential general contractor;

25 “(b) Residential specialty contractor;

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

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

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

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

1 structure.

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

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

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

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

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

10 “(E) A manufactured dwelling;

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

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

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

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

17 “(B) Transient lodging;

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

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

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

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

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

25 “(H) A nursing home;

26 “(I) A hospital; or

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

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

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

30 “(b) Exercises management or supervisory authority, as defined by the



1 board by rule, over the construction activities of the business; and

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

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

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

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

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

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

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

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

21 “(18) ‘Specialty contractor’ means a contractor who performs work on a  
22 structure, project, development or improvement and whose operations as such  
23 do not fall within the definition of ‘general contractor.’ ‘Specialty  
24 contractor’ includes a person who performs work regulated under ORS  
25 446.395.

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

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

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

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

3       “701.005. As used in this chapter:

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

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

7       “(a) Commercial general contractor level 1;

8       “(b) Commercial specialty contractor level 1;

9       “(c) Commercial general contractor level 2;

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

11       “(e) Commercial developer.

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

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

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

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

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

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

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

29       “(b) A person that purchases or owns property and constructs or for  
30 compensation arranges for the construction of one or more residential

1 structures or small commercial structures with the intent of selling the  
2 structures.

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

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

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

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

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

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

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

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

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

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

4 “(B) 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 “(C) Modular home constructed off-site;

8 “(D) Manufactured dwelling; or

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

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

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

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

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

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

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

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

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

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

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

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

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

3 “(e) A trustee.

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

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

9 “(a) Residential general contractor;

10 “(b) Residential specialty contractor;

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

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

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

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

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

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

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

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

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

25 “(E) A manufactured dwelling;

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

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

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

30 “(A) Subject to paragraph (a)(C) of this subsection, a structure that con-

1 tains both residential and nonresidential units;

2 “(B) Transient lodging;

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

4 “(D) A state or local correctional facility other than a local facility for

5 persons enrolled in work release programs maintained under ORS 144.460;

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

7 “(F) A youth care center operated by a county juvenile department under

8 administrative control of a juvenile court pursuant to ORS 420.855 to 420.885;

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

10 “(H) A nursing home;

11 “(I) A hospital; or

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

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

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

15 “(b) Exercises management or supervisory authority, as defined by the

16 board by rule, over the construction activities of the business; and

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

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

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

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

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

22 “(a) A nonresidential structure that has a ground area of 10,000 square

23 feet or less, including exterior walls, and a height of not more than 20 feet

24 from the top surface of the lowest flooring to the highest interior overhead

25 finish of the structure;

26 “(b) A nonresidential leasehold, rental unit or other unit that is part of

27 a larger structure, if the unit has a ground area of 12,000 square feet or less,

28 excluding exterior walls, and a height of not more than 20 feet from the top

29 surface of the lowest flooring to the highest interior overhead finish of the

30 unit;

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

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

6 “(18) ‘Specialty contractor’ means a contractor who performs work on a  
7 structure, project, development or improvement and whose operations as such  
8 do not fall within the definition of ‘general contractor.’ ‘Specialty  
9 contractor’ includes a person who performs work regulated under ORS  
10 446.395.

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

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

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

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

17 “701.021. (1) Except as provided in ORS 701.010, a person or joint venture  
18 that undertakes, offers to undertake or submits a bid to do work as a con-  
19 tractor must have a current license issued by the Construction Contractors  
20 Board and possess an appropriate endorsement as provided in this section.  
21 For purposes of offering to undertake or submitting a bid to do work, a  
22 partnership or joint venture is licensed and endorsed if any partner or joint  
23 venturer whose name appears in the business name of the partnership or  
24 joint venture has a current license issued by the board and possesses an ap-  
25 propriate endorsement.

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

29 “(a) Residential general contractor.

30 “(b) Residential specialty contractor.

1 “(c) Residential limited contractor.

2 “(d) Residential developer.

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

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

8 “(a) Residential general contractor.

9 “(b) Residential specialty contractor.

10 “(c) Residential limited contractor.

11 “(d) Residential developer.

12 “(e) Commercial general contractor level 1.

13 “(f) Commercial specialty contractor level 1.

14 “(g) Commercial general contractor level 2.

15 “(h) Commercial specialty contractor level 2.

16 “(i) Commercial developer.

17 “(4) 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 large commercial structure must have one of the following endorse-  
20 ments:

21 “(a) Commercial general contractor level 1.

22 “(b) Commercial specialty contractor level 1.

23 “(c) Commercial general contractor level 2.

24 “(d) Commercial specialty contractor level 2.

25 “(e) Commercial developer.

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

27 “701.081. (1) A residential general contractor shall:

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

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



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

3 “(2) A residential specialty contractor shall:

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

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

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

9 “(3) A residential limited contractor shall:

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

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

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

15 “(4) A residential developer shall:

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

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

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

21 “(a) **Obtain a surety bond under ORS 701.068 in the amount of**  
22 **\$10,000;**

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

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

27 “**SECTION 12. (1) As used in this section:**

28 “(a) **‘Home energy assessor’ has the meaning given that term in**  
29 **section 3 of this 2013 Act.**

30 “(b) **‘Home energy audit’ means the evaluation or testing of com-**

1 ponents or systems in a residential building for the purpose of identi-  
2 fying options for increasing energy conservation and energy efficiency.

3 “(c) ‘Home energy performance score’ has the meaning given that  
4 term in section 3 of this 2013 Act.

5 “(2) In consultation with the Public Utility Commission, the State  
6 Department of Energy shall adopt by rule a home energy performance  
7 score system by which a person may assign a residential building a  
8 home energy performance score for the purpose of evaluating the en-  
9 ergy conservation and energy efficiency of the building.

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

14 “(4) The department may adopt by rule requirements under which  
15 home energy assessors who are certified under section 5 of this 2013  
16 Act must report to the department the home energy performance  
17 scores assigned by the home energy assessors. The department shall  
18 keep and maintain a database of information reported to the depart-  
19 ment under this subsection.

20

21 **“REAL ESTATE APPRAISAL ACTIVITY**

22

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

25 **“SECTION 14.** The Appraiser Certification and Licensure Board  
26 shall establish a certification program for state licensed appraisers and  
27 state certified appraisers for the purpose of certifying state licensed  
28 appraisers and state certified appraisers as competent to prepare,  
29 complete and issue an opinion on the value associated with the energy  
30 efficiency features of a building located on real property.

