

**PROPOSED AMENDMENTS TO
SENATE BILL 783**

1 On page 1 of the printed bill, line 2, after the second semicolon delete the
2 rest of the line and line 3 and insert “amending ORS 701.127; repealing ORS
3 701.123 and 701.126; and declaring an 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**
6 **made a part of ORS chapter 701.**

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

16 **“(2)(a) The board shall establish continuing education categories for**
17 **matters broadly related to:**

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

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

1 **“(b) The board may, at its discretion, designate an approved con-**
2 **tinuing education program as being within a category described in**
3 **paragraph (a) of this subsection.**

4 **“(c) The board may determine whether to approve an education**
5 **program for continuing education purposes and determine the number**
6 **of hours to be credited to an approved continuing education program.**
7 **In determining whether to approve a program for continuing educa-**
8 **tion, if the program content is focused primarily on subjects that the**
9 **board has assigned to a category described in paragraph (a) of this**
10 **subsection the board shall examine the program content, instructor**
11 **qualifications and attendance verification procedures and make other**
12 **inquiries as the board considers reasonable to ensure that the program**
13 **presents information concerning topics relevant to construction con-**
14 **tractors and is presented in a competent manner to verified attendees.**
15 **If the program content is not focused primarily on subjects that the**
16 **board has assigned to a category described in paragraph (a) of this**
17 **subsection, the board shall ensure that the program is consistent with**
18 **the purposes of the continuing education requirements established in**
19 **ORS 701.124 and section 3 of this 2013 Act and that the program pro-**
20 **viders report program attendance to the board.**

21 **“(3) The board may establish a fee for determining whether to ap-**
22 **prove a program for continuing education purposes and determining**
23 **the number of hours to be credited for the program.**

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

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

29 **“(B) A court judgment or arbitration award was entered against the**
30 **contractor during the prior licensing period on a claim filed with the**

1 **Construction Contractors Board or for which an owner gave a notice**
2 **of defect under ORS 701.565.**

3 **“(b) A contractor that is subject to paragraph (a) of this subsection**
4 **must complete eight of the continuing education hours in programs**
5 **assigned to the category described in section 2 (2)(a)(A) of this 2013**
6 **Act and eight hours in programs assigned to the category described in**
7 **section 2 (2)(a)(B) of this 2013 Act.**

8 **“(2) Except as provided in subsections (1) and (3) of this section, a**
9 **contractor that has held a residential contractor license issued by the**
10 **board for six or more consecutive years must complete eight hours of**
11 **continuing education during a two-year period. A contractor must**
12 **complete at least four of the hours in programs assigned to the cate-**
13 **gory described in section 2 (2)(a)(A) of this 2013 Act and four hours in**
14 **any program broadly related to the work of the contractor.**

15 **“(3) The board may recognize a specialized education program de-**
16 **scribed under ORS 701.120 for continuing education purposes. A con-**
17 **tractor taking a specialized education program is not subject to any**
18 **requirement under subsection (1) or (2) of this section that the con-**
19 **tinuing education hours credited for the program be within a category**
20 **described in section 2 (2)(a) of this 2013 Act. If a continuing education**
21 **program provides training in the construction of one and two family**
22 **dwelling, the board may designate the program as a specialized edu-**
23 **cation program only if the program includes instruction that meets**
24 **the requirements of Department of Consumer and Business Services**
25 **rules adopted under ORS 455.805.**

26 **“(4) A residential contractor applying for renewal of a license shall**
27 **certify the number of continuing education hours completed during**
28 **the preceding licensing period. The board may require training or ed-**
29 **ucation provider verification that the residential contractor completed**
30 **the continuing education. A residential contractor may not renew a**

1 **license issued by the board unless the contractor has completed, at a**
2 **minimum, the applicable number of hours and type of continuing ed-**
3 **ucation required under this section.**

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

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

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

8 **“701.127. (1) Notwithstanding [ORS 701.126] section 2 of this 2013 Act,**
9 **the Construction Contractors Board shall adopt criteria for allowing the**
10 **exemption of a residential contractor from any board rule requiring contin-**
11 **uing education in state building code compliance or requiring building exte-**
12 **rior shell training.**

13 **“(2) The board may require a residential contractor to take continuing**
14 **education or training in other subjects to offset the reduction in continuing**
15 **education or training hours created by the exemption described in subsection**
16 **(1) of this section.**

17 **“SECTION 6. Sections 2 and 3 of this 2013 Act, the amendments to**
18 **ORS 701.127 by section 5 of this 2013 Act and the repeal of ORS 701.123**
19 **and 701.126 by section 4 of this 2013 Act apply to licensing periods that**
20 **commence on or after January 1, 2014. Residential contractor contin-**
21 **uing education requirements for licensing periods commencing prior**
22 **to January 1, 2014, must be completed in compliance with ORS 701.123**
23 **and 701.126 as set forth in the 2011 Edition of Oregon Revised Statutes**
24 **and with Construction Contractor Board rules adopted for carrying out**
25 **ORS 701.123 and 701.126.**

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

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