

B-Engrossed
House Bill 3059

Ordered by the House June 30
Including House Amendments dated April 6 and June 30

Sponsored by COMMITTEE ON BUSINESS AND LABOR (at the request of National Association of Social Workers, Oregon Chapter)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires Commissioner of the Bureau of Labor and Industries to establish toll-free telephone hotline to receive inquiries related to employment status of persons who perform live entertainment at certain facilities. Specifies qualifications for *[persons staffing hotline]* **half-time hotline position**. Authorizes Bureau of Labor and Industries to share nonconfidential inquiries received through hotline with certain state agencies and law enforcement agencies.

Instructs commissioner to develop poster, to be posted by operators of certain facilities offering live entertainment, that provides information about rights of independent contractors and employees who perform live entertainment and about hotline. Requires operators of certain facilities offering live entertainment to display poster.

Appropriates moneys from General Fund to bureau for purposes of Act.

A BILL FOR AN ACT

1
2 Relating to persons that perform live entertainment.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. As used in this section and section 2 of this 2015 Act:**

5 (1) **"Live entertainment" means a presentation given in major part by humans to a live**
6 **audience.**

7 (2) **"Live entertainment facility" means a place of public accommodation:**

8 (a) **That contains 600 or fewer fixed seats;**

9 (b) **That is operated for profit;**

10 (c) **That is privately owned;**

11 (d) **For which the performance of live entertainment is a contributing factor in the gen-**
12 **eration of revenue for the facility; and**

13 (e) **For which the number of live entertainment contractors exceeds the number of em-**
14 **ployees of the facility for at least two days during each week that the facility is open to the**
15 **public.**

16 **SECTION 2. (1) The operator of a live entertainment facility shall display the poster de-**
17 **veloped by the Commissioner of the Bureau of Labor and Industries under subsection (2) of**
18 **this section in a conspicuous manner in a sufficient number of places in the establishment**
19 **to be read by all persons working in the establishment.**

20 (2)(a) **The Commissioner of the Bureau of Labor and Industries shall develop a poster**
21 **that includes:**

22 (A) **A summary of the rights of independent contractors and employees who perform live**
23 **entertainment;**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(B) A description of the services offered through and the toll-free telephone number of**
2 **the live entertainer hotline established under subsection (3) of this section; and**

3 **(C) Any additional information determined to be necessary by the commissioner.**

4 **(b) The Bureau of Labor and Industries shall publish the poster developed by the com-**
5 **missioner under this subsection on the bureau's website and shall make the poster available**
6 **to the public at no cost.**

7 **(3)(a) The bureau shall implement and maintain a toll-free telephone hotline to receive**
8 **inquiries and complaints related to employment in the performance of live entertainment.**

9 **(b) A caller to the hotline may remain anonymous and may request that the inquiry or**
10 **complaint remain confidential.**

11 **(c) The bureau shall staff the hotline on a half-time basis with a person or persons who**
12 **have a background in providing live entertainment as an independent contractor or a back-**
13 **ground in the operation of a crisis line.**

14 **(d) The bureau may share information that has not been designated confidential by a**
15 **hotline caller with agencies participating in the Interagency Compliance Network established**
16 **under ORS 670.700, law enforcement agencies or any other agency designated by the com-**
17 **missioner.**

18 **SECTION 3.** **In addition to and not in lieu of any other appropriation, there is appropri-**
19 **ated to the Bureau of Labor and Industries, for the biennium beginning July 1, 2015, out of**
20 **the General Fund, the amount of \$69,453 for the purpose of carrying out the provisions of**
21 **section 2 of this 2015 Act.**

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