

Requested by Representative MCLANE (at the request of John Huddle)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4125**

1 On page 1 of the printed bill, delete lines 13 through 28.

2 On page 2, delete lines 1 through 12 and insert:

3 **“SECTION 2.** ORS 448.271 is amended to read:

4 “448.271. (1) In any transaction for the sale or exchange of real estate that
5 includes a well that supplies ground water for domestic purposes, the seller
6 of the real estate shall, upon accepting an offer to purchase [*that*] **the** real
7 estate, have the well tested for arsenic, nitrates and total coliform bacteria.
8 The Oregon Health Authority [*also may,*] by rule[,] **may** require additional
9 tests for specific contaminants in specific areas of public health concern. The
10 **certified laboratory selected by the** seller shall submit the results of the
11 tests required under this [*section*] **subsection** to the authority and **the seller**
12 **shall submit the results** to the [*buyer*] **purchaser** within 90 days of re-
13 ceiving the results of the tests.

14 “[*(2)*] The failure of a seller to comply with [*the provisions of this*
15 *section*] **this subsection** does not invalidate an instrument of conveyance
16 executed in the transaction.

17 **“(2) The authority shall:**

18 **“(a) Analyze test results received by the authority under subsection**
19 **(1) of this section;**

20 **“(b) Identify areas that have ground water contaminant problems;**

21 **“(c) Provide ground water contaminant education in any area**

1 served by wells that supply ground water for domestic purposes, in-
2 cluding areas identified as having ground water contaminant prob-
3 lems; and

4 “(d) Rely only on the results of tests described under subsection (1)
5 of this section that were submitted on or after the effective date of
6 this 2016 Act.

7 “(3) For the purpose of providing ground water contaminant edu-
8 cation under subsection (2)(c) of this section, the authority may:

9 “(a) Collaborate with any other state agency or with the Institute
10 for Water and Watersheds at Oregon State University to provide
11 ground water contaminant education in areas identified as having
12 ground water contaminant problems; or

13 “(b) Notify a local public health authority that ground water con-
14 taminant education is needed in an area subject to the jurisdiction of
15 the local public health authority.

16 “(4) The Oregon Health Authority may adopt rules to implement
17 this section.”.

18 In line 18, delete “low-income” and insert “low and moderate income”.

19 In line 24, delete “low-income” and insert “low and moderate income”.

20 In line 42, after “Service” insert “or the Institute for Water and
21 Watersheds at Oregon State University”.

22 In line 45, after “Conducting” insert “rigorous and reliable”.

23 On page 3, line 5, delete “free or low-cost”.

24 In line 8, delete “free or low-cost”.

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