

D R A F T

SUMMARY

Establishes permanent state preemption of local governmental authority to regulate work schedules and compensation requirements. Provides exceptions. Repeals previous iterations of similar preemptions.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to state preemption of work-related regulations; repealing ORS
3 653.017 and sections 1 and 2, chapter 591, Oregon Laws 2015; and declar-
4 ing an emergency.

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

6 **SECTION 1. (1) As used in this section:**

7 (a) **“Compensation” includes wages, salary, bonuses, benefits, fringe**
8 **benefits and stock options.**

9 (b) **“Enact” includes but is not limited to pass, adopt, amend, refer,**
10 **make effective, make operative or effectuate a previously passed law.**

11 (c) **“Local government” means a local government or local service**
12 **district, as those terms are defined in ORS 174.116, or a special gov-**
13 **ernment body, as defined in ORS 174.117.**

14 (d) **“Public employer” means the state, a state agency or a political**
15 **subdivision of the state or any person authorized to act on behalf of**
16 **the state, a state agency or political subdivision of the state, with re-**
17 **spect to control, management or supervision of an employee.**

18 (e) **“Work schedule” means the days and times during which an**
19 **employee is required by an employer to perform the duties for which**
20 **the employee will receive compensation.**

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 **(2) Except as provided in subsection (3) of this section, the State**
2 **of Oregon preempts all charter and statutory authority of local gov-**
3 **ernments to enact a requirement relating to an employee's work**
4 **schedule or compensation.**

5 **(3) A local government may set work schedule or compensation re-**
6 **quirements:**

7 **(a) For public employers; and**

8 **(b) In specifications for public contracts or subcontracts entered**
9 **into by the local government.**

10 **SECTION 2. Section 1 of this 2017 Act does not preempt the au-**
11 **thority of a local government to provide protection to an employee**
12 **that exceeds state requirements for protection from discrimination**
13 **based on race, color, religion, sex, sexual orientation, national origin,**
14 **marital status, familial status, source of income, disability, age,**
15 **work-related injury or whistleblowing activity.**

16 **SECTION 3. ORS 653.017 is repealed.**

17 **SECTION 4. Sections 1 and 2, chapter 591, Oregon Laws 2015 is re-**
18 **pealed.**

19 **SECTION 5. This 2017 Act being necessary for the immediate pres-**
20 **ervation of the public peace, health and safety, an emergency is de-**
21 **clared to exist, and this 2017 Act takes effect on its passage.**

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