

Enrolled
House Bill 2572

Sponsored by Representative HOLVEY (at the request of Commissioner of the Bureau of Labor and Industries Brad Avakian) (Presession filed.)

CHAPTER

AN ACT

Relating to labor contractor licenses; creating new provisions; and amending ORS 658.413 and 658.435.

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

SECTION 1. ORS 658.413 is amended to read:

658.413. (1) The Commissioner of the Bureau of Labor and Industries shall establish by rule a fee schedule for issuing and renewing licenses and indorsements under ORS 658.405 to 658.503 and 658.705 to 658.850. The fees shall be in amounts reasonably necessary to provide sufficient funds to administer ORS 658.405 to 658.503 and 658.705 to 658.850. **Annual** fees may not exceed the following amounts:

- (a) \$150 for a farm labor contractor license.
- (b) \$150 for a farm labor contractor license with employee indorsement.
- (c) \$350 for a farm labor contractor license with forestation or reforestation indorsement.
- (d) \$350 for a farm labor contractor license with forestation or reforestation indorsement subject to ORS 658.418.
- (e) \$350 for a farm labor contractor license with employee and forestation or reforestation indorsements.
- (f) \$50 for a farmworker camp indorsement, paid in addition to one of the fees set out in paragraphs (a) to (e) of this subsection.

(2) An applicant for a license or indorsement, or for the renewal of a license or indorsement, shall pay the fee or fees established by the commissioner under subsection (1) of this section.

(3) Fees may not be refunded or prorated.

(4) All fees received pursuant to this section shall be credited to the Bureau of Labor and Industries Account and are continuously appropriated to the Bureau of Labor and Industries to be used only for the administration of ORS 658.405 to 658.503 and 658.705 to 658.850.

SECTION 2. ORS 658.435 is amended to read:

658.435. (1) **Except as provided in subsection (3) of this section,** each labor contractor license shall expire one year following the date of its issuance unless sooner revoked by the Commissioner of the Bureau of Labor and Industries.

(2) Applications for renewal of the license shall be made 30 days prior to the expiration date by payment of the fee established under ORS 658.413, but the commissioner may require any person seeking renewal to file a new application under ORS 658.415 (1) and (2) and may conduct a new investigation of the applicant's character, competence and reliability, and of any other matter re-

lating to the manner by which the applicant proposes to conduct and has conducted operations as a labor contractor.

(3) If the commissioner finds that an applicant has operated as an Oregon licensed labor contractor, other than as an employee under ORS 658.411, for at least two years in compliance with ORS 658.405 to 658.503 and with any other laws pertaining to the conduct of labor contractors, and that no valid claims for unpaid wages have been made against the applicant, at the request of the applicant the commissioner may renew the license for a term of two or four years. The fee for a license renewed for two or four years is the annual fee established for the license under ORS 658.413 multiplied by the number of years in the renewal term. Notwithstanding any other provision of ORS 658.405 to 658.503, the fee described in this subsection must accompany an application for renewal under this subsection.

SECTION 3. The amendments to ORS 658.413 and 658.435 by sections 1 and 2 of this 2017 Act apply to licenses for which the Bureau of Labor and Industries receives a renewal application on or after the effective date of this 2017 Act.

Passed by House March 15, 2017

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 24, 2017

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2017

Approved:

.....M.,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2017

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Dennis Richardson, Secretary of State