

HOUSE AMENDMENTS TO HOUSE BILL 4093

By COMMITTEE ON BUSINESS AND LABOR

February 15

1 On page 1 of the printed bill, after line 4, insert:

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

3 **“(a) ‘Amateur athlete’ means an individual who:**

4 **“(A)(i) Has been declared an amateur athlete under the rules of the United States**
5 **Olympic Committee or the Canadian Olympic Committee; or**

6 **“(ii) Participates in training or conditioning for, and participating in, amateur sports**
7 **activities, events or competitions for a team, league, club or association included in the re-**
8 **port made available under subsection (3) of this section; and**

9 **“(B) Receives no remuneration for performance of services as an athlete while actively**
10 **engaged in training or conditioning for, or participating in, amateur sports activities, events**
11 **or competitions other than board, room, rent, housing, lodging or other reasonable incidental**
12 **subsistence allowance.**

13 **“(b) ‘Amateur sports organization’ means a group or association that fosters amateur**
14 **sports activities and competitions for amateur athletes and is organized under a regional,**
15 **national or international certifying authority.**

16 **“(2)(a) On or before January 1 of each year, an amateur sports organization shall submit**
17 **to the Director of the Department of Consumer and Business Services a report that includes**
18 **the following information:**

19 **“(A) A list of the names, addresses and any other contact information for the regional,**
20 **national and international certifying authority that has certified the organization as an am-**
21 **ateur sports organization; and**

22 **“(B) A roster that lists the names, addresses and other contact information for each**
23 **team, league, club and association that is affiliated with or governed by the amateur sports**
24 **organization and that participates in amateur sports activities, events or competitions in this**
25 **state.**

26 **“(b) Upon request, an amateur sports organization shall make copies of the report**
27 **available to interested persons.**

28 **“(3) The director shall make available to the public the reports submitted to the De-**
29 **partment of Consumer and Business Services under subsection (2) of this section.**

30 **“(4) For the purposes of section 8 of this 2018 Act, the provisions of ORS 656.027 and ORS**
31 **chapters 652 and 653, an individual is an amateur athlete during the time in which the indi-**
32 **vidual is actively engaged in training or conditioning for, or participating in, amateur sports**
33 **activities, events or competitions.”.**

34 In line 5, delete “1” and insert “2”.

35 On page 2, delete lines 37 through 41 and insert:

1 “(13)(a) An amateur athlete as defined in section 1 of this 2018 Act; or”.

2 In line 43, after the period delete the rest of the line and delete lines 44 and 45.

3 On page 3, delete line 1.

4 On page 5, delete lines 7 through 10.

5 In line 11, delete “2” and insert “3”.

6 Delete lines 30 through 32 and insert:

7 “(E) An individual who is an amateur athlete as defined in section 1 of this 2018 Act.”.

8 Delete lines 39 through 42.

9 In line 43, restore “(5)” and delete “(6)”.

10 In line 45, restore “(6)” and delete “(7)”.

11 On page 6, line 4, restore “(7)” and delete “(8)”.

12 In line 5, restore “(8)” and delete “(9)”.

13 In line 7, restore “(9)” and delete “(10)”.

14 In line 8, restore “(10)” and delete “(11)”.

15 In line 11, restore “(11)” and delete “(12)”.

16 In line 13, restore “(12)” and delete “(13)”.

17 In line 16, delete “3” and insert “4”.

18 On page 7, delete lines 1 through 3 and insert:

19 “(D) An individual who is an amateur athlete as defined in section 1 of this 2018 Act.”.

20 In line 18, delete “4” and insert “5”.

21 Delete lines 31 through 34 and insert:

22 “(B) Services performed by an individual who is an amateur athlete as defined in section 1 of

23 this 2018 Act.”.

24 On page 8, delete lines 16 through 35 and insert:

25 “**SECTION 6.** ORS 653.362 is amended to read:

26 “653.362. The provisions of ORS 653.305 to 653.370 do not apply to:

27 “(1) A person under 18 years of age serving as a referee or assistant referee in a youth or adult

28 recreational soccer match.

29 “(2) **An individual who is an amateur athlete as defined in section 1 of this 2018 Act.**

30 “**SECTION 7.** Section 8 of this 2018 Act is added to and made a part of ORS 657.043 to

31 **657.094.**

32 “**SECTION 8.** (1) ‘Employment’ does not include services performed by an individual who

33 **is an amateur athlete as defined in section 1 of this 2018 Act.**

34 “(2) **The provisions of subsection (1) of this section do not apply to services performed**

35 **by an individual described in subsection (1) of this section who performs services for:**

36 “(a) **A nonprofit employing unit;**

37 “(b) **This state;**

38 “(c) **A political subdivision of this state; or**

39 “(d) **An Indian tribe.**

40 “**SECTION 9.** Nothing in section 1 or 8 of this 2018 Act or the amendments to statutes

41 **by sections 2 to 6 of this 2018 Act is intended to apply to student athletes as defined in ORS**

42 **702.005.”.**

43
