

House Bill 4144

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown)

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 **as introduced**.

Allows applicant for construction contractor license with residential general contractor or residential specialty contractor endorsement who has specified amount of experience in construction-related activities on residential or small commercial structures to obtain license and endorsement without meeting contractor training requirements or paying fees to Construction Contractors Board.

Allows applicant who has specified amount and type of experience in plumbing work on residential or small commercial structures to obtain plumbing contractor license without meeting contractor training requirements or paying fees to State Plumbing Board.

Allows applicant who has specified amount and type of experience in electrical work on residential or small commercial structures to obtain electrical contractor license without meeting contractor training requirements or paying fees to Department of Consumer and Business Services.

Allows plumbing contractor or electrical contractor who obtained license based on experience without training or board or department fees to obtain construction contractor license with residential specialty contractor endorsement without meeting construction contractor training requirements or paying fees to Construction Contractors Board.

Allows business owned and managed by person who obtained construction contractor license with residential general contractor or residential specialty contractor endorsement without meeting training and fee payment requirements to qualify as emerging business and obtain loan for capital investment purposes if contractor agrees to certain conditions.

Allows business owned and managed by person who obtained construction contractor license with residential general contractor or residential specialty contractor endorsement without meeting training and fee payment requirements to qualify for local economic development assistance for workforce investment if contractor agrees to certain conditions.

Sunsets January 2, 2022.

A BILL FOR AN ACT

1
2 Relating to contractors.

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

4 **SECTION 1. Section 2 of this 2018 Act is added to and made a part of ORS chapter 701.**

5 **SECTION 2. (1) Notwithstanding ORS 701.122 or 701.238, if an individual has the equiv-**
6 **alent of eight or more years of full-time work experience in the construction, alteration,**
7 **repair, addition to or improvement of residential structures or small commercial structures**
8 **and otherwise meets the qualifications for a license with a residential general contractor or**
9 **residential specialty contractor endorsement, the individual may obtain an original license**
10 **as a contractor with a residential general contractor or residential specialty contractor**
11 **endorsement without:**

12 (a) **Compliance with training requirements under ORS 701.122; or**

13 (b) **Payment of any fee to the Construction Contractors Board for the license or**
14 **endorsement.**

15 (2) **Notwithstanding ORS 701.122 or 701.238, if an individual holds a plumbing contractor**
16 **license issued under section 3 of this 2018 Act or an electrical contractor license issued under**
17 **section 4 of this 2018 Act, and otherwise meets the qualifications for a license with a resi-**
18 **dential specialty contractor endorsement, the individual may obtain an original license as a**
19 **contractor with a residential specialty contractor endorsement without:**

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 (a) Compliance with training requirements under ORS 701.122; or

2 (b) Payment of any fee to the board for the license or endorsement.

3 (3) For purposes of this section, work experience includes experience obtained in an ap-
4 prenticeship approved under ORS 660.002 to 660.210. Work experience does not include ac-
5 tivities performed on behalf of a licensee operating under an endorsement described in ORS
6 701.021 (2)(d) to (i).

7 (4) Subsections (1) and (2) of this section do not exempt an applicant from:

8 (a) The testing requirement in ORS 701.122; or

9 (b) Any fee payable to an entity other than the board.

10 **SECTION 3.** (1) As used in this section, “residential structure” and “small commercial
11 structure” have the meanings given those terms in ORS 701.005.

12 (2) Notwithstanding ORS 447.040 and 455.117, if an individual is licensed as a journeyman
13 plumber, has the equivalent of eight or more years of full-time work experience installing
14 plumbing in residential structures or small commercial structures and otherwise meets the
15 qualifications for a plumbing contractor license, the individual may obtain an original license
16 as a plumbing contractor without:

17 (a) Meeting any training requirements for plumbing contractors adopted by the State
18 Plumbing Board under ORS 455.117; or

19 (b) Paying any fee to the board for the license.

20 (3) For purposes of this section, work experience includes experience obtained in an ap-
21 prenticeship approved under ORS 660.002 to 660.210.

22 (4) Subsection (2) of this section does not exempt an applicant from:

23 (a) Any testing requirements for plumbing contractors adopted by the board under ORS
24 455.117; or

25 (b) Any fee payable to an entity other than the board.

26 **SECTION 4.** (1) As used in this section, “residential structure” and “small commercial
27 structure” have the meanings given those terms in ORS 701.005.

28 (2) Notwithstanding ORS 455.117, 479.630 or 479.840, if an individual holds a general
29 journeyman electrician license or a higher license, has the equivalent of eight or more years
30 of full-time work experience making electrical installations in residential structures or small
31 commercial structures and otherwise meets the qualifications for an electrical contractor
32 license, the individual may obtain an original license as an electrical contractor without:

33 (a) Meeting any training requirements for electrical contractors adopted by the Electrical
34 and Elevator Board under ORS 455.117 or 479.510 to 479.945; or

35 (b) Paying any fee to the Department of Consumer and Business Services for the license.

36 (3) For purposes of this section, work experience includes experience obtained in an ap-
37 prenticeship approved under ORS 660.002 to 660.210. Work experience does not include work
38 performed under the supervision of a limited maintenance specialty contractor, limited pump
39 installation specialty contractor or limited renewable energy contractor.

40 **SECTION 5.** (1) As used in this section:

41 (a) “Low income household” and “moderate income household” have the meanings given
42 those terms in ORS 456.270.

43 (b) “Qualifying project” means construction, alteration, repair or addition to or im-
44 provement of dwelling units that may be purchased or rented, with or without government
45 assistance, by a low income household or a moderate income household.

1 (c) “Willamette Valley” means Clackamas, Linn, Marion, Multnomah, Polk, Washington
2 and Yamhill Counties and the portion of Benton and Lane Counties lying east of the summit
3 of the Coast Range.

4 (2) A construction contracting business owned and managed by an individual licensed
5 under section 2 of this 2018 Act that does not otherwise qualify as an emerging business
6 under ORS 285B.740 to 285B.758 may qualify as an emerging business for purposes of a loan
7 under ORS 285B.740 to 285B.758 for capital investment purposes if, as a condition of receiving
8 the loan, the individual agrees to:

9 (a) Perform work on qualifying projects that equals at least 20 percent of the work of the
10 business, measured as required by the Oregon Business Development Department by rule;
11 and

12 (b) Operate the business solely in parts of this state located outside of the Willamette
13 Valley.

14 (3) A construction contracting business owned and managed by an individual licensed
15 under section 2 of this 2018 Act that does not otherwise have the financial resources neces-
16 sary to recruit, train or retain skilled workers may apply to the department for financial
17 support from the Strategic Reserve Fund to assist local economic development through
18 workforce investment by the business if, as a condition of receiving the local economic de-
19 velopment assistance, the individual agrees to:

20 (a) Perform work on qualifying projects that equals at least 20 percent of the work of the
21 business, measured as required by the department by rule;

22 (b) Operate the business solely in parts of this state located outside of the Willamette
23 Valley;

24 (c) Use the financial support to recruit, train and retain persons who are enrolled in, or
25 are recent graduates of, an apprenticeship approved under ORS 660.002 to 660.210; and

26 (d) Meet any other requirements regarding the recruitment, training or retention of the
27 apprentices or former apprentices imposed by the department or by the Higher Education
28 Coordinating Commission.

29 **SECTION 6.** Sections 2, 3, 4 and 5 of this 2018 Act are repealed January 2, 2022. The re-
30 peal of sections 2, 3 and 4 of this 2018 Act by this section does not affect the validity of any
31 construction contractor, plumbing contractor or electrical contractor license issued or re-
32 newed prior to January 2, 2022. The repeal of section 5 of this 2018 Act by this section does
33 not cancel or alter the terms of any loan or grant made by the Oregon Business Development
34 Department prior to January 2, 2022, or repeal any department rule pertaining to loans or
35 grants made by the department prior to January 2, 2022.