

SB 935 B STAFF MEASURE SUMMARY

Carrier: Rep. Hernandez

House Committee On Rules

Action Date: 06/13/19

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Vote: 5-0-2-0

Yeas: 5 - Holvey, Nosse, Smith Warner, Sprenger, Williamson

Exc: 2 - Boles, Wilson

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

Meeting Dates: 6/11, 6/13

WHAT THE MEASURE DOES:

Prohibits Landscape Contractors Board from issuing limited or specialty license to persons who hold endorsement as residential or commercial general contractor if license requires the holder to own licensed landscape business, limits amounts charged to specified amounts, and has reduced qualifications or testing requirements.

ISSUES DISCUSSED:

- Reducing barriers to entry
- Effect of amendment

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Landscape construction professionals plan, prepare land, install, and maintain landscape, water features, drainage systems, and irrigation systems. Current statute prohibits a landscape construction professional from operating without a valid license. The Landscape Contractors Board of Oregon (LCB) administers and enforces licensing standards for landscape contracting businesses and landscape construction professionals. Applicants for a landscape professional license must demonstrate specified experience and pass an examination to determine the fitness of the applicant.

Effective February 1, 2019, LCB adopted a modified license that allows an applicant with one year of landscape-related experience who passes the laws, rules, and business practices portion of the license exam, to perform a limited scope of landscape contractor work on projects not exceeding \$5,000 in value. A person with a modified license may not perform work on drainage, ornamental water features, irrigation, backflow, low-voltage lighting, or retaining walls.

Senate Bill 935 B requires the LCB to issue a modified landscape professional license to an applicant that pays an application fee. Licensed construction contractors may not obtain a modified landscape professional license. The modified license is not subject to experience and examination requirements. Holders of a modified license may not install or maintain decks attached to a dwelling, make connections to an irrigation system or electrical source or water supply, or design and install an irrigation system over a specified size. The measure allows the LCB to further restrict the scope of the work performed by modified landscape professional license holders.