House Bill 3416

Sponsored by Representative BARKER; Representative BARRETO

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.

For purposes of unemployment insurance law, modifies exclusion from definition of “employment” for individuals making sales of consumer goods or services in home or otherwise than in permanent retail establishment.

A BILL FOR AN ACT

Relating to unemployment insurance law with respect to service performed by certain individuals making sales otherwise than in a permanent retail establishment; creating new provisions; and amending ORS 657.087.

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

SECTION 1. ORS 657.087 is amended to read:

657.087. (1) As used in this chapter, “employment” does not include service performed:

[(1)] (a) By individuals soliciting contracts for home improvements including roofing, siding and alterations of private homes to the extent that the remuneration consists of commissions, or a share of the profit realized on each contract; or

[(2)] (b) By individuals [to the extent that] if the compensation consists substantially of commissions, bonuses, overrides or a share of the profit [realized on] related to orders solicited [or] for consumer goods or services, sales resulting from the [in-person] solicitation of orders for consumer goods or services, [and making] or sales of consumer goods or services made, in the home or otherwise than in a permanent retail establishment.

(2) The provisions of this section do not apply to service performed for:

(a) A nonprofit employing unit;
(b) This state;
(c) A political subdivision of this state; or
(d) An Indian tribe.

SECTION 2. The amendments to ORS 657.087 by section 1 of this 2019 Act apply to service performed on or after the effective date of this 2019 Act.

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.

LC 4329