

D R A F T

SUMMARY

Digest: Changes some of the time limits for complaints to the Construction Contractors Board. (Flesch Readability Score: 63.4).

Revises some of the time limits allowed for filing complaints with the Construction Contractors Board.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to the periods of time allowed for filing complaints with the Con-
3 struction Contractors Board; amending ORS 701.143; and prescribing an
4 effective date.

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

6 **SECTION 1.** ORS 701.143 is amended to read:

7 701.143. The Construction Contractors Board may not process a complaint
8 against a licensed contractor, including a complaint based upon a court
9 judgment or an arbitration award, unless the complaint is filed with the
10 board in a timely manner as follows:

11 (1) Except as otherwise provided in this section, if the owner of a new
12 structure files the complaint, the board must receive the complaint no later
13 than the earlier of:

14 (a) One year after the date the structure was first occupied; or

15 (b) Two years after substantial completion of the structure by the con-
16 tractor [*filed against*] **subject to the complaint.**

17 (2) Except as otherwise provided in this section, if the owner of an ex-
18 isting structure files the complaint, the board must receive the complaint no

1 later than [*one year after the date the work was substantially completed by the*
2 *contractor filed against.*] **the earlier of:**

3 (a) **Six years after the date on which the owner and the contractor**
4 **enter into the contract; or**

5 (b) **One year after the date on which the contractor delivers to the**
6 **owner a written notice of completed work that:**

7 (A) **Informs the owner that the contractor considers the work to**
8 **be complete;**

9 (B) **Lists the total cost of the work; and**

10 (C) **States that any complaint to the board will be barred unless the**
11 **owner files the complaint within the earlier of:**

12 (i) **One year after the date the contractor delivers the notice to the**
13 **owner; or**

14 (ii) **Six years after the date on which the owner and the contractor**
15 **enter into the contract.**

16 (3) **Regardless of whether the complaint involves a new or an existing**
17 **structure, if the owner of the structure files the complaint and the licensed**
18 **contractor failed to begin the work, the board must receive the complaint**
19 **no later than one year after the date the parties entered into the contract.**

20 (4) **Regardless of whether the complaint involves a new or an existing**
21 **structure, if the owner of the structure files the complaint and the licensed**
22 **contractor failed to substantially complete the work, the board must receive**
23 **the complaint no later than [*one year after the date the contractor ceased to***
24 ***work on the structure.*] the earlier of:**

25 (a) **Six years after the date on which the owner and the contractor**
26 **enter into the contract or the date on which the parties make a mu-**
27 **tual bargain concerning the work, if the contractor does not use a**
28 **written contract; or**

29 (b) **One year after the date on which the contractor that is the**
30 **subject of the complaint delivers to the owner a written notice that:**

31 (A) **Informs the owner that the contractor considers the work to**

1 **be complete or that the contractor does not intend to complete the**
2 **work;**

3 **(B) Lists the contractor's estimate of the value of the work per-**
4 **formed; and**

5 **(C) States that any complaint to the board will be barred unless the**
6 **owner files the complaint within the earlier of:**

7 **(i) One year after the date the contractor delivers the notice to the**
8 **owner; or**

9 **(ii) Six years after the date on which the owner and the contractor**
10 **enter into the contract or the date on which the parties make a mu-**
11 **tual bargain concerning the work, if the contractor does not use a**
12 **written contract.**

13 (5) Except as otherwise provided in this section, if a licensed contractor
14 files the complaint against the licensed contractor performing work as a
15 subcontractor on a new structure, the board must receive the complaint no
16 later than the earlier of:

17 (a) Fourteen months after the date the structure was first occupied; or

18 (b) Two years after substantial completion of the structure.

19 (6) Except as otherwise provided in this section, if a licensed contractor
20 files the complaint against the licensed contractor performing work as a
21 subcontractor on an existing structure, the board must receive the complaint
22 no later than 14 months after the date the work on the structure was sub-
23 stantially completed.

24 (7) If a licensed contractor files the complaint against the licensed con-
25 tractor performing work as a subcontractor on a structure and the subcon-
26 tractor failed to substantially complete the work, the board must receive the
27 complaint no later than 14 months after the date the subcontractor ceased
28 to work on the structure.

29 (8) If the licensed contractor's employee, subcontractor or material or
30 equipment supplier files the complaint, the board must receive the complaint
31 no later than one year after the date the contractor incurred the indebt-

1 edness.

2 (9) The filing of a complaint with the Commissioner of the Bureau of
3 Labor and Industries for unpaid wages constitutes the filing of a complaint
4 for purposes of establishing timeliness of the filing of a complaint under this
5 section.

6 **SECTION 2. This 2025 Act takes effect on the 91st day after the date**
7 **on which the 2025 regular session of the Eighty-third Legislative As-**
8 **sembly adjourns sine die.**

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