

## HOUSE AMENDMENTS TO SENATE BILL 228

By COMMITTEE ON BUSINESS AND LABOR

May 19

1 On page 1 of the printed bill, delete line 3 and insert “701.063, 701.098, 701.117 and 701.992; and  
2 prescribing an effective date.”.

3 On page 3, after line 28, insert:

4 “**SECTION 4.** ORS 701.063 is amended to read:

5 “701.063. (1) A license is valid for two years from the date of issuance unless the license is re-  
6 voked or suspended as set forth in ORS 701.098.

7 “(2) A **person may renew a** license [*may be renewed*] by submitting an application for renewal  
8 on the prescribed form, providing any additional information required, including evidence of com-  
9 pletion of any required education **and an affirmation of the person’s status as exempt under**  
10 **ORS 701.035 (2)(b), if the person continues to qualify as exempt**, and submitting the appropriate  
11 application fee, as provided by Construction Contractors Board rule.

12 “(3) The board may vary the dates of license renewal by giving to the licensee written notice  
13 of the renewal date assigned and by making appropriate adjustments in the fee for the license re-  
14 newal application.

15 “(4) If a contractor applies for renewal not more than two years after the contractor’s license  
16 lapses, upon the contractor’s compliance with the requirements of subsection (2) of this section, the  
17 board may renew the lapsed license. The board may designate the effective date of renewal as the  
18 last date on which the contractor was licensed.

19 “(5) A contractor may convert a license to inactive status if the contractor is not engaged in  
20 work as a contractor. A contractor having an inactive license is subject to board licensing re-  
21 quirements and application fees, but is not subject to the bonding requirement of ORS 701.068 or the  
22 insurance requirement of ORS 701.073. A commercial general or commercial specialty contractor  
23 having an inactive license is not subject to the key employee continuing education requirements of  
24 ORS 701.086. An inactive license is not considered a valid license for purposes of offering to  
25 undertake construction work, submitting a bid for construction work, obtaining a building permit  
26 or performing construction work. A license may not be placed or maintained in inactive status more  
27 than once during any two-year licensing term.

28 “(6) The board shall issue a pocket-card certificate of licensure to a contractor licensed under  
29 this chapter indicating the type of license issued.”.

30 In line 29, delete “4” and insert “5”.

31 On page 6, after line 15, insert:

32 “**SECTION 6.** ORS 701.117 is amended to read:

33 “701.117. (1) A contractor shall notify the Construction Contractors Board of:

34 “(a) Any change of address while licensed and for one year following the date the contractor’s  
35 license expires or otherwise becomes inactive[.]; **and**

1       “(b) A change in the contractor’s status as exempt under ORS 701.035 (2)(b) to nonex-  
2       empt under ORS 701.035 (2)(a), or from nonexempt to exempt.

3       “(2) The contractor shall [so] notify the board of a change described in subsection (1) of this  
4       section within 10 days [of] after the date upon which the change [of address] occurs. A failure to  
5       provide timely notification under this subsection is a violation that is subject to the penalties  
6       provided in ORS 701.992 (4).

7       “(3) Initial notice of a contested case directed by the board to the last-known address of record  
8       [shall be considered] is delivered when deposited in the United States mail and sent registered or  
9       certified or post office receipt secured. Any other communication directed by the board to the last-  
10      known address of record [shall be considered] is delivered when deposited in the United States mail,  
11      regular mail.”.

12      In line 16, delete “5” and insert “7”.

13      Delete lines 24 and 25 and insert:

14      “(4) The board shall impose sanctions for a violation of ORS 701.098 (1)(k) on the person to  
15      whom a contract is awarded and the person who awards the contract, and sanctions on a contractor  
16      for a violation of ORS 701.117 (2), as follows:”.

17      Delete lines 33 through 42 and insert:

18      “**SECTION 8.** (1) Section 2 of this 2023 Act and the amendments to ORS 701.046, 701.063,  
19      701.098, 701.117 and 701.992 by sections 3 to 7 of this 2023 Act become operative on January  
20      1, 2024.

21      “(2) The Construction Contractors Board may adopt rules and take any other action be-  
22      fore the operative date specified in subsection (1) of this section that is necessary to enable  
23      the board, on and after the operative date specified in subsection (1) of this section, to  
24      undertake and exercise all of the duties, functions and powers conferred on the board by  
25      section 2 of this 2023 Act and the amendments to ORS 701.046, 701.063, 701.098, 701.117 and  
26      701.992 by sections 3 to 7 of this 2023 Act.

27      “**SECTION 9.** This 2023 Act takes effect on the 91st day after the date on which the 2023  
28      regular session of the Eighty-second Legislative Assembly adjourns sine die.”.