

House Bill 3194

Sponsored by Representative MARSH, Senator MANNING JR, Representative VALDERRAMA, Senator GOLDEN; Representative GRAYBER, Senators JAMA, PATTERSON, PHAM K, PROZANSKI, TAYLOR (Presession filed.)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes new laws about farmworker camps. (Flesch Readability Score: 82.3).

Establishes that landowners and persons acting as farmworker camp operators are jointly and severally liable for operating a farmworker camp on the landowner's property unless certain conditions are met.

Modifies remedies that may be sought for violations of certain requirements for farmworker camps.

A BILL FOR AN ACT

1
2 Relating to farmworker camps; creating new provisions; and amending ORS 658.705 and 658.805.

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

4 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 658.705 to**
5 **658.850.**

6 **SECTION 2. (1) As used in this section, "landowner" means any person that has a sub-**
7 **stantial ownership interest in real property.**

8 **(2) A landowner whose property is the location of a farmworker camp shall be jointly and**
9 **severally liable with the person acting as the farmworker camp operator to the same extent**
10 **and in the same manner as provided in ORS 658.805 (3) and (4), unless the landowner proves**
11 **that the landowner:**

12 **(a) Delegated the authority to operate the farmworker camp to a farmworker camp op-**
13 **erator for whom the landowner has verified compliance with the licensing, registration and**
14 **indorsement requirements under ORS 658.705 to 658.850; and**

15 **(b) Had no actual knowledge or reason to know of the farmworker camp operator's fail-**
16 **ure to comply with those requirements.**

17 **SECTION 3. ORS 658.705 is amended to read:**

18 658.705. As used in ORS 658.705 to 658.850:

19 (1) "Applicant" means an individual who proposes to operate a farmworker camp and who is
20 applying for a camp operator indorsement under ORS 658.730.

21 (2) "Bureau" means the Bureau of Labor and Industries.

22 (3) "Commissioner" means the Commissioner of the Bureau of Labor and Industries.

23 (4) "Department" means the Department of Consumer and Business Services.

24 (5) "Director" means the Director of the Department of Consumer and Business Services.

25 (6) "Farm labor contractor" has the same meaning as that provided in ORS 658.405.

26 (7) "Farmworker camp" means any place or area of land where sleeping places, manufactured
27 structures or other housing is provided **or permitted** by a farmer, farm labor contractor, employer
28 or any other person in connection with the recruitment or employment of workers to work in the

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 production and harvesting of farm crops or in the reforestation of lands, as described in ORS
 2 658.405. “Farmworker camp” does not include:

3 (a) A single, isolated dwelling occupied solely by members of the same family, or by five or fewer
 4 unrelated individuals; or

5 (b) A hotel or motel which provides housing with the same characteristics on a commercial basis
 6 to the general public on the same terms and conditions as housing is provided to such workers.

7 (8) “Farmworker camp operator” means any person who operates a farmworker camp.

8 (9) “Indorsee” means a farm labor contractor licensed under ORS 658.410 who has obtained a
 9 camp indorsement under ORS 658.730.

10 **SECTION 4.** ORS 658.805 is amended to read:

11 658.805. (1) Except to appeal from an act or determination of the Commissioner of the Bureau
 12 of Labor and Industries or the Department of Consumer and Business Services, no person operating
 13 a farmworker camp, as defined in ORS 658.705, is entitled to demand, receive or accept any fee di-
 14 rectly or indirectly or maintain any suit or action in the courts of this state involving the
 15 farmworker camp, without alleging and proving that the person was registered or indorsed to oper-
 16 ate a farmworker camp.

17 (2) The commissioner, Director of the Department of Consumer and Business Services or any
 18 local governmental agency may bring suit in any court of competent jurisdiction to enjoin any per-
 19 son from violating any of the provisions of ORS 658.705 to 658.850, or rules adopted pursuant
 20 thereto, and from committing future violations.

21 (3) Any aggrieved person may bring suit in any court of competent jurisdiction [*to enjoin*]
 22 **against** any person violating ORS 658.715 (1) or 658.755 (2)(a) [*from violating*] **who violates** any of
 23 the provisions of ORS 658.705 to 658.850, or rules adopted pursuant thereto, **to recover damages**
 24 **and to enjoin the person** [*and*] from committing future violations.

25 (4) In actions brought pursuant to this section, the court may award to the prevailing party
 26 costs and disbursements and a reasonable attorney fee. In addition, if damages are found, the amount
 27 of damages recoverable from a farmworker camp operator who is subject to suit pursuant to sub-
 28 section (3) of this section [*who violates*] **for each violation of any provision of** ORS 658.705 to
 29 658.850 is actual damages or [*\$500*] **\$2,000**, whichever is greater.

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