

Enrolled
Senate Bill 1061

Sponsored by Senator NASH; Senator SMITH DB, Representatives LEVY B, OWENS, WRIGHT

CHAPTER

AN ACT

Relating to a lumber grading training program.

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

SECTION 1. (1) The Oregon State University Extension Service shall, in consultation with the Department of Consumer and Business Services, establish a basic lumber grading training pilot program to be offered annually through the extension service. Establishment of the pilot program under this subsection must include a determination of the:

- (a) General requirements for successfully completing the pilot program.
- (b) Requirements for initial certification and recertification.
- (c) Content of the pilot program. At minimum, the content of the pilot program must include:

(A) A minimum of eight instructional hours, including hands-on practice with physical lumber samples; and

(B) Instruction in regionally relevant species identification, moisture content considerations and visual grading criteria for structural dimension lumber.

(d) Certification requirements for instructors teaching the pilot program. At minimum, to be certified instructors must:

(A) Demonstrate substantial expertise in visual lumber grading through:

(i) A valid grader certification from an organization that administers an accreditation program for the grademarking of lumber produced under a system that is the basis for the sale and purchase of softwood lumber;

(ii) Seven years of professional experience in lumber grading, quality control or wood products education, with demonstrated knowledge of visual grading rules applicable to regionally relevant species; or

(iii) Equivalent qualifications approved by the extension service based on professional history, training and relevant industry involvement; and

(B) Maintain continued competency through industry involvement, refresher coursework or other methods approved by the extension service.

(2) The extension service shall issue certifications and recertifications to those individuals who have successfully completed the pilot program.

(3) An individual who holds an initial certification as having successfully completed the pilot program must be recertified every five years.

SECTION 2. (1) As used in this section:

(a) "Self-graded lumber" means lumber graded by an individual who is certified to grade lumber through the pilot program established under section 1 of this 2025 Act.

(b) "Third-party graded lumber" means lumber bearing a valid grade stamp from a grading agency accredited by an organization that administers an accreditation program for the grademarking of lumber produced under a system that is the basis for the sale and purchase of softwood lumber.

(2) The Department of Consumer and Business Services shall establish by rule a process by which a builder, designer or owner may use lumber that is tested and approved by an individual who is certified under section 1 of this 2025 Act.

(3) The process established under subsection (2) of this section:

(a) May not establish, create or accept any new grade or design value as part of the state's building code.

(b) Shall permit the use of self-graded lumber only for structures that are subject to the Oregon Residential Specialty Code.

(c) Shall require that the intent of a builder, design professional, contractor and homeowner to use self-graded lumber must be disclosed in writing at the time of the building permit application. Disclosure under this paragraph must be made to an inspector who is licensed by the department or a municipality administering and enforcing a building inspection program. The writing required under this paragraph must be filed with the county clerk, who shall make the writing a part of the permanent deed record of the property.

(d) Shall include that the lumber used for self-graded lumber must originate from a known source, requiring a documented relationship or permit between the lumber owner and the purchaser of the milled lumber.

(4)(a) No manufacturer, distributor, wholesaler, retailer or grader of third-party graded lumber may be held liable in whole or in part for a failure of or defect in self-graded lumber incorporated in the same structure.

(b) This subsection applies only to structures permitted under subsection (3)(b) of this section in which self-graded lumber is incorporated.

SECTION 3. Sections 1 and 2 of this 2025 Act are repealed on January 2, 2033.

Passed by Senate April 28, 2025

Received by Governor:

Repassed by Senate June 23, 2025

.....M.,....., 2025

Approved:

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Obadiah Rutledge, Secretary of Senate

.....M.,....., 2025

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Rob Wagner, President of Senate

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Tina Kotek, Governor

Passed by House May 29, 2025

Filed in Office of Secretary of State:

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Julie Fahey, Speaker of House

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Tobias Read, Secretary of State