

**Enrolled**  
**Senate Bill 864**

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CHAPTER .....

AN ACT

Relating to bonding requirements for landscape contracting businesses; amending ORS 671.690.

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

**SECTION 1.** ORS 671.690 is amended to read:

671.690. (1) An applicant for a license as a landscape contracting business **or a licensed landscape contracting business** shall file with the State Landscape Contractors Board a surety bond with one or more corporate sureties authorized to do business in this state, or an irrevocable letter of credit issued by an insured institution, as defined in ORS 706.008. The amount of the bond or letter of credit *[shall]* **must** be[:] **\$20,000.**

*[(a) \$3,000 for an applicant, unless the applicant is described under paragraphs (b) to (e) of this subsection.]*

*[(b) \$10,000 for an applicant who, not in conjunction with the performance of landscaping work, constructs fences, decks, arbors, patios, landscape edging, driveways, walkways or retaining walls, unless the applicant is made subject to paragraph (d) or (e) of this subsection by work on other landscape jobs, as defined by board rule, performed by the applicant.]*

*[(c) \$10,000 for an applicant who charges more than \$10,000, but less than \$25,000, for a landscape job.]*

*[(d) \$15,000 for an applicant who charges \$25,000 or more, but less than \$50,000, for a landscape job.]*

*[(e) \$20,000 for an applicant who charges \$50,000 or more for a landscape job.]*

(2) The bond or letter of credit *[shall]* **must** be conditioned that the applicant **or licensed landscape contracting business** pays:

(a) All taxes and contributions due to the State of Oregon;

(b) All persons furnishing labor or material, or renting or supplying equipment to the **applicant or licensed** landscape contracting business;

(c) All amounts that may be adjudged against the **applicant or licensed** landscape contracting business by reason of negligent or improper work or breach of contract in performing any work subject to ORS 671.510 to 671.760; and

(d) All amounts from the bond, letter of credit or deposit the board orders paid under ORS 671.703.

(3) In addition to providing the applicant **or licensed landscape contracting business** with coverage for the activities described in ORS 671.520 (1), the bond or letter of credit must provide the applicant **or licensed landscape contracting business** with coverage for:

(a) Backflow assembly testing services provided by employees of the **applicant or licensed** landscape contracting business who are certified under ORS 448.279;

(b) The installation, repair or maintenance by the **applicant or licensed** landscape contracting business of backflow assemblies for irrigation systems and ornamental water features as described in ORS 447.060;

(c) The installation by the **applicant or licensed** landscape contracting business of landscape irrigation control wiring and outdoor landscape lighting as described in ORS 479.940; and

(d) The removal or pruning of a tree, removal of limbs or stumps and tree or limb guying.

(4) In lieu of the surety bond or letter of credit, the **applicant or licensed landscape contracting business** may file with the board, under the same terms and conditions as when a bond is filed, a deposit in cash or negotiable securities acceptable to the board.

(5) The bond, letter of credit or deposit must be continuously on file with the board in the amount required by this section and is for the exclusive purpose of payment of final orders and arbitration awards in accordance with ORS 671.703. Upon termination or cancellation of the bond, withdrawal of the deposit or reduction of the bond, letter of credit or deposit to less than the required amount, the [*licensee*] **licensed landscape contracting business** shall immediately:

(a) File a replacement bond, letter of credit or deposit; or

(b) Surrender the license to the board and cease operating as a landscape contracting business.

(6) If the cost of a project makes, or foreseeably will make, [*a licensee*] **an applicant or a licensed landscape contracting business** subject to a higher bond or letter of credit requirement under subsection (1) of this section, the [*licensee*] **applicant or licensed landscape contracting business** shall immediately file additional bonds, letters of credit or deposits to meet the higher requirements.

(7) The **licensed** landscape contracting business is responsible for all work subject to ORS 671.510 to 671.760 that is performed or contracted for by the **licensed landscape contracting** business.

**Passed by Senate March 11, 2025**

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Obadiah Rutledge, Secretary of Senate

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Rob Wagner, President of Senate

**Passed by House May 15, 2025**

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Julie Fahey, Speaker of House

**Received by Governor:**

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

**Approved:**

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

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Tina Kotek, Governor

**Filed in Office of Secretary of State:**

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

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Tobias Read, Secretary of State