

SB 999-2  
(LC 4172)  
4/7/25 (JAS/ps)

Requested by Senator BONHAM

**PROPOSED AMENDMENTS TO  
SENATE BILL 999**

1 In line 2 of the printed bill, delete “amending ORS 658.705” and insert  
2 “creating new provisions; and amending ORS 654.005, 654.071 and 658.705”.

3 Delete lines 4 through 29 and insert:

4 **“SECTION 1. (1) Notwithstanding ORS 90.110 (7) and (9), any person,**  
5 **including a farmer, farm labor contractor, employer or any other**  
6 **person, shall maintain the premises as habitable, as described in ORS**  
7 **90.320, if the premises is:**

8 **“(a) A single, isolated dwelling occupied by members of the same**  
9 **family, or by five or fewer unrelated individuals; and**

10 **“(b) Provided to an employee for dwelling purposes as a term or**  
11 **condition of employment in connection with the recruitment or em-**  
12 **ployment of workers to work on a seasonal or temporary basis in the**  
13 **production and harvesting of farm crops or in the reforestation of**  
14 **lands, as described in ORS 658.405.**

15 **“(2) This section does not create the relationship of landlord and**  
16 **tenant between the person providing the premises and the employee.**

17 **“SECTION 2. 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**  
20 **farmworker camp and who is applying for a camp operator indorsement un-**  
21 **der ORS 658.730.**

1 “(2) ‘Bureau’ means the Bureau of Labor and Industries.

2 “(3) ‘Commissioner’ means the Commissioner of the Bureau of Labor and  
3 Industries.

4 “(4) ‘Department’ means the Department of Consumer and Business Ser-  
5 vices.

6 “(5) ‘Director’ means the Director of the Department of Consumer and  
7 Business Services.

8 “(6) ‘Farm labor contractor’ has the same meaning as that provided in  
9 ORS 658.405.

10 “(7)(a) ‘Farmworker camp’ means any place or area of land where sleeping  
11 places, manufactured structures or other housing is provided **as a term or**  
12 **condition of employment** by a farmer, farm labor contractor, employer or  
13 any other person in connection with the recruitment or employment of  
14 workers to work **on a seasonal or temporary basis** in the production and  
15 harvesting of farm crops or in the reforestation of lands, as described in ORS  
16 658.405.

17 “(b) ‘Farmworker camp’ does not *[include]* **mean:**

18 “[a] (A) A single, isolated dwelling occupied solely by members of the  
19 same family, or by five or fewer unrelated individuals; or

20 “[b] (B) A hotel or motel which provides housing with the same char-  
21 acteristics on a commercial basis to the general public on the same terms  
22 and conditions as housing is provided to such workers.

23 “(8) ‘Farmworker camp operator’ means any person who operates a  
24 farmworker camp.

25 “(9) ‘Indorsee’ means a farm labor contractor licensed under ORS 658.410  
26 who has obtained a camp indorsement under ORS 658.730.

27 “(10)(a) ‘**Seasonal or temporary basis**’ means a period of time that  
28 **is for a limited, short-term or fixed duration.**

29 “(b) ‘**Seasonal or temporary basis**’ does not mean a period of time  
30 **that is year-round or of permanent duration.**

1       **“SECTION 3.** ORS 654.005 is amended to read:

2       “654.005. As used in this chapter, unless the context requires otherwise:

3       “(1) ‘Board’ means the Workers’ Compensation Board created by ORS  
4 656.712.

5       “(2) ‘Department’ means the Department of Consumer and Business Ser-  
6 vices.

7       “(3) ‘Director’ means the Director of the Department of Consumer and  
8 Business Services.

9       “(4) ‘Employee’ includes:

10       “(a) Any individual, including a minor whether lawfully or unlawfully  
11 employed, who engages to furnish services for a remuneration, financial or  
12 otherwise, subject to the direction and control of an employer.

13       “(b) Salaried, elected and appointed officials of the state, state agencies,  
14 counties, cities, school districts and other public corporations.

15       “(c) Any individual who is provided with workers’ compensation coverage  
16 as a subject worker pursuant to ORS chapter 656, whether by operation of  
17 law or by election.

18       “(5) ‘Employer’ includes:

19       “(a) Any person who has one or more employees.

20       “(b) Any sole proprietor or member of a partnership who elects workers’  
21 compensation coverage as a subject worker pursuant to ORS 656.128.

22       “(c) Any successor or assignee of an employer. As used in this paragraph,  
23 ‘successor’ means a business or enterprise that is substantially the same en-  
24 tity as the predecessor employer according to criteria adopted by the de-  
25 partment by rule.

26       “(6) ‘Owner’ means every person having ownership, control or custody of  
27 any place of employment or of the construction, repair or maintenance of any  
28 place of employment.

29       “(7) ‘Person’ means one or more individuals, legal representatives, part-  
30 nerships, joint ventures, associations, corporations (whether or not organized

1 for profit), business trusts, any organized group of persons, the state, state  
2 agencies, counties, municipal corporations, school districts and other public  
3 corporations or subdivisions.

4 “(8)(a) ‘Place of employment’ includes:

5 “(A) Every place, whether fixed or movable or moving, whether indoors  
6 or out or underground, and the premises and structures appurtenant thereto,  
7 where either temporarily or permanently an employee works or is intended  
8 to work; and

9 “(B) Every place where there is carried on any process, operation or ac-  
10 tivity related, either directly or indirectly, to an employer’s industry, trade,  
11 business or occupation, including a labor camp **and a farmworker camp**  
12 **as defined in ORS 658.705**, wherever located, provided by an employer for  
13 employees or by another person engaged in providing living quarters or  
14 shelters for employees.

15 “(b) ‘Place of employment’ does not include:

16 “(A) Any place where the only employment involves nonsubject workers  
17 employed in or about a private home; [*and*]

18 “(B) Any corporate farm where the only employment involves the farm’s  
19 family members, including parents, spouses, sisters, brothers, daughters, sons,  
20 daughters-in-law, sons-in-law, nieces, nephews or grandchildren[.]; **and**

21 **“(C) Any housing that is explicitly excluded from the definition of**  
22 **‘farmworker camp’ under ORS 658.705.**

23 **“SECTION 4.** ORS 654.071 is amended to read:

24 “654.071. (1) If the Director of the Department of Consumer and Business  
25 Services or an authorized representative of the director has reason to be-  
26 lieve, after inspection or investigation of a place of employment, that an  
27 employer has violated any state occupational safety or health law, regu-  
28 lation, standard, rule or order, the director or the authorized representative  
29 shall with reasonable promptness issue to such employer a citation, and no-  
30 tice of proposed civil penalty, if any, to be assessed under this chapter, and

1 fix a reasonable time for correction of the alleged violation.

2 “(2) Each citation and notice required by subsection (1) of this section  
3 shall be in writing, shall be mailed to or served upon the employer or a  
4 registered agent of the employer, and shall contain:

5 “(a) The date and place of the alleged violation;

6 “(b) A plain statement of the facts upon which the citation is based;

7 “(c) A reference to the law, regulation, rule, standard or order relied  
8 upon;

9 “(d) The amount, if any, of the proposed civil penalty;

10 “(e) The time, if any, fixed for the correction of the alleged violation;

11 “(f) Notice of the employer’s right to contest the citation, the proposed  
12 civil penalty and the period of time fixed for correction of the alleged vio-  
13 lation; and

14 “(g) Notice of any affected employee’s right to contest the period of time  
15 fixed for correction of the alleged violation.

16 “(3) No citation or notice of proposed civil penalty may be issued under  
17 this section after the expiration of 180 days following the start of the in-  
18 spection or investigation, but this shall not prevent the issuance, at any  
19 time, of an order to correct that violation or the issuance of a citation for  
20 a subsequent violation.

21 “(4) If the director has reason to believe that an employer has failed to  
22 correct a violation within the period of time fixed for correction, or within  
23 the time fixed in a subsequent order granting an extension of time to correct  
24 the violation, the director shall consider such failure as a separate and  
25 continuing violation and shall issue a citation and notice of proposed civil  
26 penalty, if any, to be assessed pursuant to ORS 654.086 (1)(d).

27 “(5) The director may prescribe procedures for the issuance of a notice in  
28 lieu of citation to inform an employer and employees of a minimal violation  
29 that has no direct or immediate relationship to occupational safety or health.

30 “(6) Each citation and notice, or copies thereof, issued under ORS 654.001

1 to 654.295, 654.412 to 654.423 and 654.750 to 654.780 shall be posted by the  
2 employer, immediately upon receipt, in a conspicuous manner in a sufficient  
3 number of locations in the place or places of employment to reasonably in-  
4 form employees of such citation and notice.

5 “(7) Notwithstanding any other provision of this section, the director or  
6 authorized representative of the director shall deliver to [*the operator of a*  
7 *farm labor camp*] **a farmworker camp operator** a copy of any notice, eval-  
8 uation report or citation resulting from the inspection **of the farmworker**  
9 **camp operated by the farmworker camp operator. As used in this**  
10 **subsection, ‘farmworker camp’ and ‘farmworker camp operator’ have**  
11 **the meanings given those terms in ORS 658.705.”**

12

---