



Legislative Fiscal Office
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Bill Title: Relating to criminal offenses related to work.

Government Unit(s) Affected: Construction Contractors Board, Bureau of Labor and Industries, Cities, Counties, Criminal Justice Commission, Department of Consumer and Business Services, Department of Corrections, Department of Justice, Department of Revenue, District Attorneys, Employment Department, Judicial Department, Oregon Youth Authority, Public Defense Commission

Summary of Fiscal Impact: Costs related to the measure are anticipated to be minimal - see explanatory analysis.

Measure Description

The measure modifies the crime of theft of services to include full or partial payment. Additionally, the measure specifies that a criminal prosecution for theft of services does not preclude a civil action or administrative proceeding seeking wages, compensation, penalties, damages, or other remedies.

Under current law, an individual commits the crime of theft of services if they, with the intent to avoid payment, obtain services that require compensation by force, threat, deception, or other means to avoid payment for the services. Crime of theft of services is a Class C or Class A misdemeanor up to a Class C or Class B felony depending on the total amount of services. The measure modifies the crime of theft of services by specifying that the payment can be in full or partial.

The measure also creates a crime for a direct contractor or subcontractor who knowingly enters into a contract with a construction labor contractor who is required to be licensed and who is not properly licensed. This is considered a Class A misdemeanor or Class C felony if there was a prior conviction of this offense. Additionally, the intentional use of a contractor’s license number without the authorization of the licensed contractor is elevated from a Class A misdemeanor to a Class C felony and the use of a contractor’s license number without authorization with intent to deceive the public is elevated from a Class A misdemeanor to a Class C felony.

Lastly, the measure modifies the duties of the Interagency Compliance Network to include the development of investigative methods to gather and share information relating to a person whose actions may constitute theft of services and who do not comply with laws relating to taxation or employment.

Fiscal Analysis

The fiscal impact of this measure is anticipated to be minimal for the 2025-27 biennium and 2027-29 biennium.

Bureau of Labor and Industries and Construction Contractors Board

There is a minimal fiscal impact to the Bureau of Labor and Industries and the Construction Contractors Board. However, depending on the actual number of investigations resulting from this measure and the need for updated training for compliance related issues, the agencies may need to request additional resources in the future to complete the work required of the measure.

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 4089 - B

Other entities

There is a minimal fiscal impact to the Department of Consumer and Business Services, Department of Corrections, Oregon Employment Department, Oregon Judicial Department, and Oregon Youth Authority.

There is no fiscal impact to the District Attorneys, Department of Revenue, Public Defense Commission, or counties.

Relevant Dates

The measure takes effect on January 1, 2027.