

HOUSE AMENDMENTS TO HOUSE BILL 4012

By COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT

February 6

- 1 In line 2 of the printed bill, before the period insert “; and prescribing an effective date”.
- 2 Delete lines 4 through 10 and insert:
“SECTION 1. (1) As used in this section:
“(a) ‘Construction labor contractor’ and ‘labor contractor’ have the meanings given those terms in ORS 658.405.
“(b) ‘Unlicensed construction labor contractor’ means a person who performs the activities of a construction labor contractor without a valid license or license indorsement issued under ORS 658.405 to 658.511.
“(c) ‘Unlicensed labor contractor’ means a person acting as labor contractor without a valid license or indorsement issued under ORS 658.405 to 658.511.
“(2)(a) For the period beginning on January 1, 2027, and ending on July 1, 2027, the Construction Contractors Board shall consult and collaborate with the Bureau of Labor and Industries to carry out a targeted assessment initiative as described in this section.
“(b) The purpose of the targeted assessment initiative is to observe and collect information that may be used to determine the:
“(A) Frequency with which the services of unlicensed labor contractors, including but not limited to unlicensed construction labor contractors, are used on construction job sites; and
“(B) Prevalence of unlicensed construction labor contractors at construction job sites.
“(3)(a) To carry out the targeted assessment initiative, the board may, during a job site inspection conducted pursuant to the board’s existing authority under ORS 701.225, engage in the following activities:
“(A) Screening for the presence of unlicensed construction labor contractors at the site;
“(B) Observing and documenting activities and practices suspected to violate ORS 658.405 to 658.511 or ORS chapter 701;
“(C) Identifying educational opportunities for improving compliance with ORS 658.405 to 658.511; and
“(D) Sharing recorded observations and information with the bureau.
“(b) Nothing in this subsection:
“(A) Creates new violations or penalties beyond those prescribed under ORS 658.405 to 658.511 and ORS chapter 701.
“(B) May be construed to limit the authority of the board or the bureau to exercise their respective enforcement authority under ORS 658.405 to 658.511 and ORS chapter 701.
“(4) No later than December 31, 2026, the board and the bureau shall consult and coordinate to complete planning necessary for the board to begin conducting the targeted as-

1 assessment initiative at the beginning of the period specified in subsection (2) of this section.

2 Planning activities must include:

3 “(a) Development of strategies and methods for:

4 “(A) Engaging in the activities authorized for purposes of conducting the targeted as-
5 sessment initiative;

6 “(B) Screening to identify and verify unlicensed labor contractors and unlicensed con-
7 struction labor contractors at construction job sites;

8 “(C) Identifying common indicators of suspected noncompliance with the provisions of
9 ORS 658.405 to 658.511 and ORS chapter 701; and

10 “(D) Recording, documenting and sharing observations and information obtained through
11 engaging in the activities authorized for purposes of conducting the targeted assessment in-
12 itiative; and

13 “(b) Consultation with persons possessing relevant subject matter knowledge and exper-
14 tise regarding the requirements under ORS 658.405 to 658.511.

15 “(5)(a) The board and the bureau may compare and exchange documents, data and other
16 information, including documents, data or information that are otherwise confidential under
17 ORS 192.311 to 192.478, as necessary for the board and the bureau to carry out their respec-
18 tive powers in connection with:

19 “(A) Conducting a targeted assessment initiative; or

20 “(B) Enforcement under ORS 658.405 to 658.511 or ORS chapter 701.

21 “(b) The exchange of documents, data and other information under this subsection does
22 not waive or diminish the confidentiality or exempt status of the information in possession
23 of the board or the bureau and the information shall remain confidential or exempt from
24 disclosure under ORS 192.311 to 192.478.

25 “(6) Before the board begins carrying out the targeted assessment initiative described in
26 subsection (2) of this section, the board shall provide written notice to licensees and appli-
27 cants under ORS chapter 701 informing them of the upcoming initiative. The notice must:

28 “(a) Specify the period during which the board will carry out the targeted assessment
29 initiative; and

30 “(b) Include information regarding the requirements applicable to construction labor
31 contractors under ORS 658.405 to 658.511.

32 “(7) No later than October 1, 2027, the board and the bureau shall report to the interim
33 committees of the Legislative Assembly related to business and labor on the operation and
34 outcomes of the targeted assessment initiative, including any recommendations regarding:

35 “(a) Improving coordination and effectiveness of enforcement under ORS 658.405 to
36 658.511;

37 “(b) Improving education and outreach regarding the requirements of ORS 658.405 to
38 658.511, including consideration of incorporating information about such requirements into
39 application materials, examinations or continuing education requirements for persons li-
40 censed under ORS chapter 701;

41 “(c) Clarification of the licensure requirements under ORS chapter 701 and the licensure
42 and registration requirements applicable to construction labor contractors under ORS 658.405
43 to 658.511;

44 “(d) Gaps in current laws and regulations relating to construction labor contractors; and

45 “(e) Potential statutory changes to address the topics described in paragraphs (a) to (d)

1 **of this subsection.**

2 **“SECTION 2. Section 1 of this 2026 Act is repealed on January 2, 2028.**

3 **“SECTION 3. This 2026 Act takes effect on the 91st day after the date on which the 2026**
4 **regular session of the Eighty-third Legislative Assembly adjourns sine die.”.**

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