

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:

3 **“SECTION 1. (1) As used in this section:**

4 **“(a) ‘Construction labor contractor’ and ‘labor contractor’ have the meanings given those**
5 **terms in ORS 658.405.**

6 **“(b) ‘Unlicensed construction labor contractor’ means a person who performs the activ-**
7 **ities of a construction labor contractor without a valid license or license indorsement issued**
8 **under ORS 658.405 to 658.511.**

9 **“(c) ‘Unlicensed labor contractor’ means a person acting as labor contractor without a**
10 **valid license or indorsement issued under ORS 658.405 to 658.511.**

11 **“(2)(a) For the period beginning on January 1, 2027, and ending on July 1, 2027, the Con-**
12 **struction Contractors Board shall consult and collaborate with the Bureau of Labor and In-**
13 **dustries to carry out a targeted assessment initiative as described in this section.**

14 **“(b) The purpose of the targeted assessment initiative is to observe and collect informa-**
15 **tion that may be used to determine the:**

16 **“(A) Frequency with which the services of unlicensed labor contractors, including but**
17 **not limited to unlicensed construction labor contractors, are used on construction job sites;**
18 **and**

19 **“(B) Prevalence of unlicensed construction labor contractors at construction job sites.**

20 **“(3)(a) To carry out the targeted assessment initiative, the board may, during a job site**
21 **inspection conducted pursuant to the board’s existing authority under ORS 701.225, engage**
22 **in the following activities:**

23 **“(A) Screening for the presence of unlicensed construction labor contractors at the site;**

24 **“(B) Observing and documenting activities and practices suspected to violate ORS 658.405**
25 **to 658.511 or ORS chapter 701;**

26 **“(C) Identifying educational opportunities for improving compliance with ORS 658.405 to**
27 **658.511; and**

28 **“(D) Sharing recorded observations and information with the bureau.**

29 **“(b) Nothing in this subsection:**

30 **“(A) Creates new violations or penalties beyond those prescribed under ORS 658.405 to**
31 **658.511 and ORS chapter 701.**

32 **“(B) May be construed to limit the authority of the board or the bureau to exercise their**
33 **respective enforcement authority under ORS 658.405 to 658.511 and ORS chapter 701.**

34 **“(4) No later than December 31, 2026, the board and the bureau shall consult and coor-**
35 **ordinate 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 **essment 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 **icensed 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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