

# A-Engrossed House Bill 4027

Ordered by the House February 18  
Including House Amendments dated February 18

Sponsored by Representative WATANABE, Senator TAYLOR, Representatives PHAM H, RIEKE SMITH, SOSA; Representatives CHAICHI, FRAGALA, GAMBA, ISADORE, LIVELY, MUNOZ, NELSON, TRAN (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

**Digest: The Act would have DCBS set a rate to put at least a minimum amount in a new fund to pay for the duties of the head of BOLI and the related costs of the head of DCBS. The Act would also have the rate be set to create and maintain a 12-month reserve in the new fund. The Act would bar moneys from the Workers Benefit Fund being used to make up the new assessment amounts in the new fund. The Act would raise the cap on the fee paid by public agencies for contracts subject to the prevailing wage rate. The Act would require BOLI to report every other year as to whether the cap brings in enough money to pay for BOLI's staffing needs. (Flesch Readability Score: 71.1).**

*[Digest: Tells LPRO to conduct a study on how state labor agencies in other states are funded. (Flesch Readability Score: 68.9).]*

*[Requires the Legislative Policy and Research Director to conduct a study of the manner in which state labor agencies in other states are funded. Directs the director to submit findings to the interim committees of the Legislative Assembly related to labor and business no later than September 15, 2027.]*

*[Sunsets on January 2, 2028.]*

**Amends the Workers' Benefit Fund assessment statute to direct the Department of Consumer and Business Services to set an additional assessment rate in order to deposit in a new BOLI Expenses Fund at least the greater of a minimum dollar amount or 12 months of projected expenses to fund the duties of the Commissioner of the Bureau of Labor and Industries, subject to a cap on the costs of new positions, to reimburse certain related expenses of the Director of the Department of Consumer and Business Services and to create and maintain a 12-month reserve in the new fund. Prohibits the transfer of assessment moneys in the Workers' Benefit Fund to the new fund to make up the new assessment amounts.**

**Raises the maximum fee amount paid by public agencies that award public works contracts subject to the prevailing wage rate. Requires the Bureau of Labor and Industries to submit a biennial report to the interim committees of the Legislative Assembly relating to labor that examines whether the maximum fee amount raises enough revenue for the bureau to meet its staffing needs.**

**Takes effect on the 91st day following adjournment sine die.**

## A BILL FOR AN ACT

1  
2 Relating to the Bureau of Labor and Industries; creating new provisions; amending ORS 279C.825,  
3 656.506, 656.605 and 656.630; and prescribing an effective date.

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

5 **SECTION 1. Section 2 of this 2026 Act is added to and made a part of ORS chapter 656.**

6 **SECTION 2. (1) The BOLI Expenses Fund is established in the State Treasury, separate**  
7 **and distinct from the General Fund. Interest earned by the BOLI Expenses Fund shall be**  
8 **credited to the fund.**

9 **(2) Moneys in the BOLI Expenses Fund are continuously appropriated to the Department**  
10 **of Consumer and Business Services.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1       **(3) Subject to an agreement between the Director of the Department of Consumer and**  
2 **Business Services and the Commissioner of the Bureau of Labor and Industries, moneys in**  
3 **the BOLI Expenses Fund may be used to reimburse the actual administrative expenses in-**  
4 **curring by the director under this section and ORS 656.506 (6) and (8).**

5       **(4) The BOLI Expenses Fund consists of:**

6       **(a) Moneys deposited in the fund under ORS 656.506 (6) and (8); and**

7       **(b) Moneys appropriated to the fund by the Legislative Assembly.**

8       **SECTION 3.** Section 2 of this 2026 Act is amended to read:

9       **Sec. 2.** (1) The BOLI Expenses Fund is established in the State Treasury, separate and distinct  
10 from the General Fund. Interest earned by the BOLI Expenses Fund shall be credited to the fund.

11       (2) Moneys in the BOLI Expenses Fund are continuously appropriated to the Department of  
12 Consumer and Business Services.

13       (3) Subject to an agreement between the Director of the Department of Consumer and Business  
14 Services and the Commissioner of the Bureau of Labor and Industries[,]:

15       **(a)** Moneys in the BOLI Expenses Fund may be used to reimburse the actual administrative  
16 expenses incurred by the director under this section and ORS 656.506 (6) and (8).

17       **(b) The director may transfer moneys from the fund to the Bureau of Labor and Indus-**  
18 **tries for payment of the expenses incurred by the commissioner in carrying out the duties**  
19 **set forth in ORS 651.050.**

20       (4) The BOLI Expenses Fund consists of:

21       (a) Moneys deposited in the fund under ORS 656.506 (6) and (8); and

22       (b) Moneys appropriated to the fund by the Legislative Assembly.

23       **SECTION 4. The amendments to section 2 of this 2026 Act by section 3 of this 2026 Act**  
24 **become operative on July 1, 2029.**

25       **SECTION 5.** ORS 656.506 is amended to read:

26       656.506. (1) As used in this section:

27       (a) "Employee" means a subject worker as defined in ORS 656.005 [(28)].

28       (b) "Employer" means a subject employer as defined in ORS 656.005 [(13)].

29       (2) Every employer shall retain from the moneys earned by all employees an amount determined  
30 by the Director of the Department of Consumer and Business Services for each hour or part of an  
31 hour the employee is employed and pay the money retained in the manner and at such intervals as  
32 the director shall specify.

33       (3) In addition to all moneys retained under subsection (2) of this section, the director shall as-  
34 sess each employer an amount equal to that assessed pursuant to subsection (2) of this section. The  
35 assessment must be paid in such manner and at such intervals as the director may specify.

36       **(4)(a)** The Department of Consumer and Business Services shall deposit moneys collected pur-  
37 suant to subsections (2) and (3) of this section, and any accrued cash balances, into the Workers'  
38 Benefit Fund, **and the BOLI Expenses Fund established under section 2 of this 2026 Act, in**  
39 **accordance with subsections (5) to (8) of this section.**

40       **(b)** Subject to the limitations in subsections (2) and (3) of this section, the amount of the  
41 [hourly] assessments provided in subsections (2) and (3) of this section [annually] may be adjusted  
42 **annually to enable the department to:**

43       **(A)** Meet the needs of the Workers' Benefit Fund for the expenditures of the department in  
44 carrying out the department's functions and duties pursuant to subsection [(7)] **(10)** of this section  
45 and ORS 656.445, 656.622, 656.625, 656.628 and 656.630[.]; **and**

1       **(B) Deposit in the BOLI Expenses Fund the amount determined under subsection (6) of**  
2 **this section.**

3       **(c) The amount of the assessments provided for under subsections (2) and (3) of this**  
4 **section shall be computed using the assessment rates determined under subsections (5) and**  
5 **(6) of this section.**

6       **(d) The assessment rates under subsections (5) and (6) of this section shall be determined**  
7 **separately.**

8       **(e) Factors to be considered in [making such adjustment of] determining the [assessments] as-**  
9 **essment rates** must include, but not be limited to, the [cash balance] **respective cash balances**  
10 **as determined by the director and estimated expenditures and revenues of the Workers' Benefit Fund**  
11 **and the BOLI Expenses Fund.**

12       (5) The Legislative Assembly intends that the department set **assessment** rates [for the col-  
13 *lection of assessments*] pursuant to subsections (2) and (3) of this section [in a manner] so that at the  
14 end of the period for which the rates are effective, the balance of the Workers' Benefit Fund is an  
15 amount of not less than 12 months of projected expenditures from the fund in regard to the  
16 department's functions and duties under subsection [(7)] **(10)** of this section and ORS 656.445,  
17 656.622, 656.625, 656.628 and 656.630, in a manner that minimizes the volatility of the rates assessed.

18       **(6)(a) The Legislative Assembly intends that the department set assessment rates pur-**  
19 **suant to subsections (2) and (3) of this section so that there shall have been deposited in the**  
20 **BOLI Expenses Fund, for the purposes of funding the expenses incurred by the Commis-**  
21 **sioner of the Bureau of Labor and Industries in carrying out the duties set forth in ORS**  
22 **651.050, and reimbursing the actual administrative expenses incurred by the Director of the**  
23 **Department of Consumer and Business Services described in section 2 (3) of this 2026 Act,**  
24 **at least:**

25       **(A) On or before June 30, 2029, \$4.25 million.**

26       **(B) On or before June 30, 2030, the greater of:**

27       **(i) \$4.25 million; or**

28       **(ii) 12 months of projected expenses from the fund, including:**

29       **(I) \$4.25 million adjusted for any increase in the costs of Bureau of Labor and Industries**  
30 **positions; and**

31       **(II) The reimbursements described in section 2 (3) of this 2026 Act.**

32       **(C) On or before June 30, 2031, and June 30 of each subsequent year, the greater of:**

33       **(i) \$9.5 million; or**

34       **(ii) 12 months of projected expenses from the fund, including:**

35       **(I) \$9.5 million adjusted for any increase in the costs of Bureau of Labor and Industries**  
36 **positions; and**

37       **(II) The reimbursements described in section 2 (3) of this 2026 Act.**

38       **(b) The department shall set assessment rates for purposes of this subsection so as to:**

39       **(A) Minimize the volatility of the rates; and**

40       **(B) Create a 12-month reserve in the fund.**

41       **(c) New positions funded by the assessments on or after July 1, 2031, may not exceed the**  
42 **cumulative cost of \$5.25 million per year as of July 1, 2031.**

43       **(7)(a) If the department determines that the balance of the Workers' Benefit Fund will fall**  
44 **below the balance required under [this] subsection (5) of this section, the department shall devise**  
45 **and report to the Workers' Compensation Management-Labor Advisory Committee a plan to increase**

1 the balance to the required amount.

2 (b) The department may set the assessment rate **determined under subsection (5) of this**  
 3 **section** at a higher level if the department determines that a higher **assessment** rate is necessary  
 4 to avoid unintentional program or benefit reductions in the time period immediately following the  
 5 period for which the rate is being set.

6 (8)(a) **If the department determines that the balance of the BOLI Expenses Fund will fall**  
 7 **below the reserve required under subsection (6) of this section, the department, in consul-**  
 8 **tation with the Bureau of Labor and Industries, shall devise and report to the Workers'**  
 9 **Compensation Management-Labor Advisory Committee a plan to increase the reserve to the**  
 10 **required amount.**

11 (b) **The department may set the assessment rate determined under subsection (6) of this**  
 12 **section at a higher level if the department determines that a higher assessment rate is**  
 13 **necessary to avoid unintentional program or benefit reductions in the time period imme-**  
 14 **diately following the period for which the rate is being set.**

15 [(6)] (9) Every employer required to pay the assessments referred to in this section shall make  
 16 and file a report of employee hours worked and amounts due under this section upon a combined  
 17 report form prescribed by the Department of Revenue. The report must be filed with the Department  
 18 of Revenue:

19 (a) At the times and in the manner prescribed in ORS 316.168 and 316.171; or

20 (b) Annually as required or allowed pursuant to ORS 316.197, 657.571 or 657B.150.

21 [(7)] (10)(a) There is established a Retroactive Program for the purpose of providing increased  
 22 benefits to claimants or beneficiaries eligible to receive compensation under the benefit schedules  
 23 of ORS 656.204, 656.206, 656.208 and 656.210 that are lower than currently being paid for like inju-  
 24 rias. However, benefits payable under ORS 656.210 may not be increased by the Retroactive Program  
 25 for claimants whose injury occurred on or after April 1, 1974.

26 (b) Notwithstanding the formulas for computing benefits provided in ORS 656.204, 656.206,  
 27 656.208 and 656.210, the increased benefits payable under this subsection must be in such amount  
 28 as the director considers appropriate.

29 (c) The director [*annually*] shall **annually** compute the amount which may be available during  
 30 the succeeding year for payment of such increased benefits and determine the level of benefits to  
 31 be paid during such year. If, during such year, it is determined by the director that there are in-  
 32 sufficient funds to increase benefits to the level fixed by the director, the director may reduce the  
 33 level of benefits payable under this subsection.

34 (d) The increase in benefits to workers is payable in the first instance by the insurer or self-  
 35 insured employer subject to reimbursement from the Workers' Benefit Fund by the director. If the  
 36 insurer is a member of the Oregon Insurance Guaranty Association and becomes insolvent and the  
 37 Oregon Insurance Guaranty Association assumes the insurer's obligations to pay covered claims of  
 38 subject workers, including Retroactive Program benefits, the benefits are payable in the first in-  
 39 stance by the Oregon Insurance Guaranty Association, subject to reimbursement from the Workers'  
 40 Benefit Fund by the director.

41 **SECTION 6. (1) The amendments to ORS 656.506 by section 5 of this 2026 Act become**  
 42 **operative on January 1, 2027.**

43 (2) **Notwithstanding the operative date set forth in subsection (1) of this section, the Di-**  
 44 **rector of the Department of Consumer and Business Services and the Director of the De-**  
 45 **partment of Revenue may take any action before the operative date set forth in subsection**

1 (1) of this section that is necessary for the directors to administer ORS 656.506, as amended  
2 by section 5 of this 2026 Act, on or after the operative date set forth in subsection (1) of this  
3 section.

4 **SECTION 7.** ORS 656.506, as amended by section 5 of this 2026 Act, is amended to read:

5 656.506. (1) As used in this section:

6 (a) “Employee” means a subject worker as defined in ORS 656.005.

7 (b) “Employer” means a subject employer as defined in ORS 656.005.

8 (2) Every employer shall retain from the moneys earned by all employees an amount determined  
9 by the Director of the Department of Consumer and Business Services for each hour or part of an  
10 hour the employee is employed and pay the money retained in the manner and at such intervals as  
11 the director shall specify.

12 (3) In addition to all moneys retained under subsection (2) of this section, the director shall as-  
13 sess each employer an amount equal to that assessed pursuant to subsection (2) of this section. The  
14 assessment must be paid in such manner and at such intervals as the director may specify.

15 (4)(a) The Department of Consumer and Business Services shall deposit moneys collected pur-  
16 suant to subsections (2) and (3) of this section, and any accrued cash balances, into the Workers’  
17 Benefit Fund, and the BOLI Expenses Fund established under section 2 of this 2026 Act, in accord-  
18 ance with subsections (5) to (8) of this section.

19 (b) Subject to the limitations in subsections (2) and (3) of this section, the amount of the as-  
20 sessments provided in subsections (2) and (3) of this section may be adjusted annually to enable the  
21 department to:

22 (A) Meet the needs of the Workers’ Benefit Fund for the expenditures of the department in  
23 carrying out the department’s functions and duties pursuant to subsection (10) of this section and  
24 ORS 656.445, 656.622, 656.625, 656.628 and 656.630; and

25 (B) Deposit in the BOLI Expenses Fund the amount determined under subsection (6) of this  
26 section.

27 (c) The amount of the assessments provided for under subsections (2) and (3) of this section shall  
28 be computed using the assessment rates determined under subsections (5) and (6) of this section.

29 (d) The assessment rates under subsections (5) and (6) of this section shall be determined sepa-  
30 rately.

31 (e) Factors to be considered in determining the assessment rates must include, but not be limited  
32 to, the respective cash balances as determined by the director and estimated expenditures and re-  
33 venues of the Workers’ Benefit Fund and the BOLI Expenses Fund.

34 (5) The Legislative Assembly intends that the department set assessment rates pursuant to sub-  
35 sections (2) and (3) of this section so that at the end of the period for which the rates are effective,  
36 the balance of the Workers’ Benefit Fund is an amount of not less than 12 months of projected  
37 expenditures from the fund in regard to the department’s functions and duties under subsection (10)  
38 of this section and ORS 656.445, 656.622, 656.625, 656.628 and 656.630, in a manner that minimizes  
39 the volatility of the rates assessed.

40 (6)(a) The Legislative Assembly intends that the department set assessment rates pursuant to  
41 subsections (2) and (3) of this section so that, **on or before June 30 of each year**, there shall have  
42 been deposited in the BOLI Expenses Fund, for the purposes of funding the expenses incurred by the  
43 Commissioner of the Bureau of Labor and Industries in carrying out the duties set forth in ORS  
44 651.050, and reimbursing the actual administrative expenses incurred by the Director of the De-  
45 partment of Consumer and Business Services described in section 2 (3) of this 2026 Act, at least **the**

1 **greater of:**

2 [(A) On or before June 30, 2029, \$4.25 million.]

3 [(B) On or before June 30, 2030, the greater of:]

4 [(i) \$4.25 million; or]

5 [(ii) 12 months of projected expenses from the fund, including:]

6 [(I) \$4.25 million adjusted for any increase in the costs of Bureau of Labor and Industries posi-  
7 tions; and]

8 [(II) The reimbursements described in section 2 (3) of this 2026 Act.]

9 [(C) On or before June 30, 2031, and June 30 of each subsequent year, the greater of:]

10 [(i) (A) \$9.5 million; or

11 [(ii) (B) 12 months of projected expenses from the fund, including:

12 [(I) (i) \$9.5 million adjusted for any increase in the costs of Bureau of Labor and Industries  
13 positions; and

14 [(II) (ii) The reimbursements described in section 2 (3) of this 2026 Act.

15 (b) The department shall set assessment rates for purposes of this subsection so as to:

16 (A) Minimize the volatility of the rates; and

17 (B) [~~Create~~] **Maintain** a 12-month reserve in the fund.

18 (c) New positions funded by the assessments on or after July 1, 2031, may not exceed the cu-  
19 mulative cost of \$5.25 million per year as of July 1, 2031.

20 (7)(a) If the department determines that the balance of the Workers' Benefit Fund will fall below  
21 the balance required under subsection (5) of this section, the department shall devise and report to  
22 the Workers' Compensation Management-Labor Advisory Committee a plan to increase the balance  
23 to the required amount.

24 (b) The department may set the assessment rate determined under subsection (5) of this section  
25 at a higher level if the department determines that a higher assessment rate is necessary to avoid  
26 unintentional program or benefit reductions in the time period immediately following the period for  
27 which the rate is being set.

28 (8)(a) If the department determines that the balance of the BOLI Expenses Fund will fall below  
29 the reserve required under subsection (6) of this section, the department, in consultation with the  
30 Bureau of Labor and Industries, shall devise and report to the Workers' Compensation  
31 Management-Labor Advisory Committee a plan to increase the reserve to the required amount.

32 (b) The department may set the assessment rate determined under subsection (6) of this section  
33 at a higher level if the department determines that a higher assessment rate is necessary to avoid  
34 unintentional program or benefit reductions in the time period immediately following the period for  
35 which the rate is being set.

36 (9) Every employer required to pay the assessments referred to in this section shall make and  
37 file a report of employee hours worked and amounts due under this section upon a combined report  
38 form prescribed by the Department of Revenue. The report must be filed with the Department of  
39 Revenue:

40 (a) At the times and in the manner prescribed in ORS 316.168 and 316.171; or

41 (b) Annually as required or allowed pursuant to ORS 316.197, 657.571 or 657B.150.

42 (10)(a) There is established a Retroactive Program for the purpose of providing increased bene-  
43 fits to claimants or beneficiaries eligible to receive compensation under the benefit schedules of ORS  
44 656.204, 656.206, 656.208 and 656.210 that are lower than currently being paid for like injuries.  
45 However, benefits payable under ORS 656.210 may not be increased by the Retroactive Program for

1 claimants whose injury occurred on or after April 1, 1974.

2 (b) Notwithstanding the formulas for computing benefits provided in ORS 656.204, 656.206,  
3 656.208 and 656.210, the increased benefits payable under this subsection must be in such amount  
4 as the director considers appropriate.

5 (c) The director shall annually compute the amount which may be available during the suc-  
6 ceeding year for payment of such increased benefits and determine the level of benefits to be paid  
7 during such year. If, during such year, it is determined by the director that there are insufficient  
8 funds to increase benefits to the level fixed by the director, the director may reduce the level of  
9 benefits payable under this subsection.

10 (d) The increase in benefits to workers is payable in the first instance by the insurer or self-  
11 insured employer subject to reimbursement from the Workers' Benefit Fund by the director. If the  
12 insurer is a member of the Oregon Insurance Guaranty Association and becomes insolvent and the  
13 Oregon Insurance Guaranty Association assumes the insurer's obligations to pay covered claims of  
14 subject workers, including Retroactive Program benefits, the benefits are payable in the first in-  
15 stance by the Oregon Insurance Guaranty Association, subject to reimbursement from the Workers'  
16 Benefit Fund by the director.

17 **SECTION 8. The amendments to ORS 656.506 by section 7 of this 2026 Act become oper-**  
18 **ative on July 1, 2031.**

19 **SECTION 9.** ORS 656.605 is amended to read:

20 656.605. (1) The Workers' Benefit Fund is created in the State Treasury, separate and distinct  
21 from the General Fund. Moneys in the fund shall be invested in the same manner as other state  
22 moneys and investment earnings shall be credited to the fund. The fund shall consist of the follow-  
23 ing:

24 (a) Moneys received pursuant to ORS 656.506.

25 (b) Moneys recovered under ORS 656.054.

26 (c) Penalties recovered under ORS 656.735.

27 (d) All moneys received by the Director of the Department of Consumer and Business Services  
28 pursuant to law or from any other source for purposes for which the fund may be expended.

29 (2) Moneys in the Workers' Benefit Fund may be expended for the following purposes:

30 (a) Expenses of programs under ORS 656.445, 656.506, 656.622, 656.625, 656.628 and 656.630.

31 (b) Proceedings against noncomplying employers pursuant to ORS 656.054 and 656.735.

32 (c) Expenses of vocational assistance on claims, the cost of which was imposed pursuant to  
33 section 15, chapter 600, Oregon Laws 1985.

34 (d) Payment of supplemental temporary disability benefits for workers employed in more than  
35 one job at the time of injury and reimbursement of the costs of administering payments resulting  
36 from elections by insurers and self-insured employers as provided by ORS 656.210 (5).

37 (e) Payments made to injured workers pursuant to section 6a, chapter 865, Oregon Laws 2001.

38 (f) Expenses of the Bureau of Labor and Industries for enforcing ORS 659A.040, 659A.043,  
39 659A.046, 659A.049 and 659A.052, subject to an agreement between the Director of the Department  
40 of Consumer and Business Services and the Commissioner of the Bureau of Labor and Industries.  
41 The agreement must include, but is not limited to, the amount of funds to be transferred to the bu-  
42 reau for enforcing ORS 659A.040, 659A.043, 659A.046, 659A.049 and 659A.052 and the information  
43 relating to the enforcement of ORS 659A.040, 659A.043, 659A.046, 659A.049 and 659A.052 that the  
44 bureau must report to the director.

45 (g) Reimbursement to the insurer or self-insured employer for the amount of permanent total

1 disability benefits paid after the date of the notice of closure that was upheld pursuant to ORS  
2 656.206.

3 (h) Reimbursement of vocational benefit expenses as provided in ORS 656.313.

4 (3) Subject to the following provisions, all moneys in the fund are appropriated continuously to  
5 the Director of the Department of Consumer and Business Services to carry out the activities for  
6 which the fund may be expended:

7 (a) Moneys received pursuant to ORS 656.054 and 656.735 and transfers made pursuant to ORS  
8 705.148 may be expended only to carry out the provisions of ORS 656.054 and 656.735 and section  
9 15, chapter 600, Oregon Laws 1985.

10 (b) Moneys received pursuant to ORS 656.506 and the transfers of unexpended and unobligated  
11 moneys in the Retroactive Reserve, Reemployment Assistance Reserve, Reopened Claims Reserve  
12 and Handicapped Workers Reserve referred to in ORS 656.506, 656.622, 656.625 and 656.628 (All 1993  
13 Edition) may be expended only to carry out the programs referred to in ORS 656.506, 656.622,  
14 656.625, 656.628 and 656.630.

15 (4) Notwithstanding any other provision of this chapter, if the director determines at any time  
16 that there are insufficient moneys in the Workers' Benefit Fund to pay the expenses of programs for  
17 which expenditure of the fund is authorized, the director may reduce the level of benefits payable  
18 accordingly.

19 **(5) Moneys in the fund may not be transferred to the BOLI Expenses Fund established**  
20 **under section 2 of this 2026 Act for the purpose of complying with ORS 656.506 (6) or (8).**

21 **SECTION 10.** ORS 656.630 is amended to read:

22 656.630. (1) There is transferred to and continuously appropriated to the Oregon Institute of  
23 Occupational Health Sciences of the Oregon Health and Science University, the following amounts  
24 from the following sources:

25 (a) The amount of revenue equivalent to one-sixteenth of one cent of the money deductible from  
26 workers' wages pursuant to ORS 656.506 (2) **assessed at the rate set by the Director of the De-**  
27 **partment of Consumer and Business Services under ORS 656.506 (5).**

28 (b) An amount equal to the amount raised by paragraph (a) of this subsection from those as-  
29 sessments made pursuant to ORS 656.612 (2).

30 (2) The moneys referred to in subsection (1) of this section may only be used for paying the  
31 expenses of the Oregon Institute of Occupational Health Sciences. If the Director of the Department  
32 of Consumer and Business Services determines adequate funds are available and the director re-  
33 duces or suspends for a period of time the assessments made pursuant to ORS 656.506 (2) and 656.612  
34 (2), the reduction or suspension of the assessments does not terminate the transfers to the Oregon  
35 Institute of Occupational Health Sciences authorized in subsection (1) of this section.

36 (3) Annually, the Oregon Institute of Occupational Health Sciences shall file a report with the  
37 Oregon Health and Science University, with a copy to the Director of the Department of Consumer  
38 and Business Services, describing the activities in sufficient detail for which moneys received under  
39 this section during the year have been obligated or expended.

40 **SECTION 11.** ORS 279C.825 is amended to read:

41 279C.825. (1)(a) The Commissioner of the Bureau of Labor and Industries, by order, shall estab-  
42 lish a fee to be paid by the public agency that awards a public works contract subject to ORS  
43 279C.800 to 279C.870. The commissioner shall use the fee to pay the costs of:

44 (A) Surveys to determine the prevailing rates of wage;

45 (B) Administering and providing investigations under and enforcement of ORS 279C.800 to

1 279C.870; and

2 (C) Providing educational programs on public contracting law under the Public Contracting  
3 Code.

4 (b) The commissioner shall establish the fee at 0.1 percent of the contract price. However, in  
5 no event may a fee be charged and collected that is less than \$250 or more than ~~[\$7,500]~~ **\$12,500**.

6 (2) The commissioner shall pay moneys received under this section into the State Treasury. The  
7 moneys shall be credited to the Prevailing Wage Education and Enforcement Account created by  
8 ORS 651.185.

9 (3) The public agency shall pay the fee at the time the public agency notifies the commissioner  
10 under ORS 279C.835 a contract subject to the provisions of ORS 279C.800 to 279C.870 has been  
11 awarded.

12 **SECTION 12. Section 13 of this 2026 Act is added to and made a part of ORS 279C.800 to**  
13 **279C.870.**

14 **SECTION 13. (1) The Commissioner of the Bureau of Labor and Industries shall submit**  
15 **a report, in the manner provided in ORS 192.245, to the interim committees of the Legislative**  
16 **Assembly relating to labor, that examines whether the maximum fee amount allowed under**  
17 **ORS 279C.825 (1)(b) raises enough revenue for the Bureau of Labor and Industries to meet**  
18 **its staffing needs.**

19 **(2) The report shall be submitted no later than September 15 of each even-numbered**  
20 **year.**

21 **SECTION 14. This 2026 Act takes effect on the 91st day after the date on which the 2026**  
22 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

23