

HB 4012-1
(LC 144)
2/26 (JAS/ps)

Requested by HOUSE COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT (at the request of Representative Dacia Grayber)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4012**

1 In line 2 of the printed bill, before the period insert “; and prescribing
2 an effective date”.

3 Delete lines 4 through 10 and insert:

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

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

7 **“(b) ‘Unlicensed construction labor contractor’ means a person who
8 performs the activities of a construction labor contractor without a
9 valid license or license indorsement issued under ORS 658.405 to
10 658.511.**

11 **“(c) ‘Unlicensed labor contractor’ means a person acting as labor
12 contractor without a valid license or indorsement issued under ORS
13 658.405 to 658.511.**

14 **“(2)(a) For the period beginning on January 1, 2027, and ending on
15 July 1, 2027, the Construction Contractors Board shall consult and
16 collaborate with the Bureau of Labor and Industries to carry out a
17 targeted assessment initiative as described in this section.**

18 **“(b) The purpose of the targeted assessment initiative is to observe
19 and collect information that may be used to determine the:**

20 **“(A) Frequency with which the services of unlicensed labor con-
21 tractors, including but not limited to unlicensed construction labor**

1 contractors, are used on construction job sites; and

2 **“(B) Prevalence of unlicensed construction labor contractors at**

3 **construction job sites.**

4 **“(3)(a) To carry out the targeted assessment initiative, the board**

5 **may, during a job site inspection conducted pursuant to the board’s**

6 **existing authority under ORS 701.225, engage in the following activ-**

7 **ties:**

8 **“(A) Screening for the presence of unlicensed construction labor**

9 **contractors at the site;**

10 **“(B) Observing and documenting activities and practices suspected**

11 **to violate ORS 658.405 to 658.511 or ORS chapter 701;**

12 **“(C) Identifying educational opportunities for improving compliance**

13 **with ORS 658.405 to 658.511; and**

14 **“(D) Sharing recorded observations and information with the bu-**

15 **reau.**

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

17 **“(A) Creates new violations or penalties beyond those prescribed**

18 **under ORS 658.405 to 658.511 and ORS chapter 701.**

19 **“(B) May be construed to limit the authority of the board or the**

20 **bureau to exercise their respective enforcement authority under ORS**

21 **658.405 to 658.511 and ORS chapter 701.**

22 **“(4) No later than December 31, 2026, the board and the bureau shall**

23 **consult and coordinate to complete planning necessary for the board**

24 **to begin conducting the targeted assessment initiative at the begin-**

25 **ning of the period specified in subsection (2) of this section. Planning**

26 **activities must include:**

27 **“(a) Development of strategies and methods for:**

28 **“(A) Engaging in the activities authorized for purposes of conduct-**

29 **ing the targeted assessment initiative;**

30 **“(B) Screening to identify and verify unlicensed labor contractors**

1 and unlicensed construction labor contractors at construction job
2 sites;

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

5 **“(D) Recording, documenting and sharing observations and infor-**
6 **mation obtained through engaging in the activities authorized for**
7 **purposes of conducting the targeted assessment initiative; and**

8 **“(b) Consultation with persons possessing relevant subject matter**
9 **knowledge and expertise regarding the requirements under ORS 658.405**
10 **to 658.511.**

11 **“(5)(a) The board and the bureau may compare and exchange doc-**
12 **uments, data and other information, including documents, data or**
13 **information that are otherwise confidential under ORS 192.311 to**
14 **192.478, as necessary for the board and the bureau to carry out their**
15 **respective powers in connection with:**

16 **“(A) Conducting a targeted assessment initiative; or**

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

18 **“(b) The exchange of documents, data and other information under**
19 **this subsection does not waive or diminish the confidentiality or ex-**
20 **empt status of the information in possession of the board or the bu-**
21 **reau and the information shall remain confidential or exempt from**
22 **disclosure under ORS 192.311 to 192.478.**

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

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

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

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

5 **“(a) Improving coordination and effectiveness of enforcement under**
6 **ORS 658.405 to 658.511;**

7 **“(b) Improving education and outreach regarding the requirements**
8 **of ORS 658.405 to 658.511, including consideration of incorporating in-**
9 **formation about such requirements into application materials, exam-**
10 **inations or continuing education requirements for persons licensed**
11 **under ORS chapter 701;**

12 **“(c) Clarification of the licensure requirements under ORS chapter**
13 **701 and the licensure and registration requirements applicable to con-**
14 **struction labor contractors under ORS 658.405 to 658.511;**

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

17 **“(e) Potential statutory changes to address the topics described in**
18 **paragraphs (a) to (d) of this subsection.**

19 **“SECTION 2. Section 1 of this 2026 Act is repealed on January 2,**
20 **2028.**

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

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