

House Bill 2732

Sponsored by Representative WITT; Representatives BARKER, BOQUIST, BUCKLEY, CLEM, DINGFELDER, ESQUIVEL, JENSON, KOMP, MAURER, NOLAN, ROBLAN, TOMEI, Senators AVAKIAN, G GEORGE, L GEORGE, MONROE (at the request of National Federation of Independent Business, Oregon School Employee Association)

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 **as introduced**.

Modifies definition of "disabled individual" for purposes of public contracting law relating to procurement of products or services from qualified nonprofit agency for disabled individuals.

A BILL FOR AN ACT

Relating to public contracting; amending ORS 279.835.

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

SECTION 1. ORS 279.835 is amended to read:

279.835. As used in ORS 279.835 to 279.855:

(1) "Department" means the Oregon Department of Administrative Services.

(2) "Direct labor" includes all work required for preparation, processing and packing, but not supervision, administration, inspection and shipping.

(3) "Disabled individual" means an individual who, because of the nature of disabilities **that are verified by medical certification**, is not able to participate fully in competitive employment **with reasonable accommodation under 42 U.S.C. 12101 to 12213 or ORS 659A.100 to 659A.145**, and for whom specialized employment opportunities must be provided.

(4) "Public agency" or "public contracting agency" means any agency of the State of Oregon or any political subdivision thereof authorized by law to enter into public contracts and any public body created by intergovernmental agreement.

(5) "Qualified nonprofit agency for disabled individual" means a nonprofit activity center or rehabilitation facility:

(a) Organized under the laws of the United States or of this state and operated in the interest of disabled individuals, and the net income of which does not inure in whole or in part to the benefit of any shareholder or other individual;

(b) That complies with any applicable occupational health and safety standard required by the laws of the United States or of this state; and

(c) That in the manufacture of products and in the provision of services, whether or not the products or services are procured under ORS 279.835 to 279.855, during the fiscal year employs disabled individuals for not less than 75 percent of the work hours of direct labor required for the manufacture or provision of the products or 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.