

# Senate Bill 970

Sponsored by COMMITTEE ON BUSINESS AND TRANSPORTATION

## 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**.

Establishes permanent state preemption of local governmental authority to regulate work schedules and compensation requirements. Provides exceptions. Repeals previous iterations of similar preemptions.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to state preemption of work-related regulations; creating new provisions; repealing ORS  
3 653.017 and sections 1 and 2, chapter 591, Oregon Laws 2015; and declaring an emergency.

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

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

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6 (a) **"Compensation" includes wages, salary, bonuses, benefits, fringe benefits and stock**  
7 **options.**

8 (b) **"Enact" includes but is not limited to pass, adopt, amend, refer, make effective, make**  
9 **operative or effectuate a previously passed law.**

10 (c) **"Local government" means a local government or local service district, as those**  
11 **terms are defined in ORS 174.116, or a special government body, as defined in ORS 174.117.**

12 (d) **"Public employer" means the state, a state agency or a political subdivision of the**  
13 **state or any person authorized to act on behalf of the state, a state agency or political sub-**  
14 **division of the state, with respect to control, management or supervision of an employee.**

15 (e) **"Work schedule" means the days and times during which an employee is required by**  
16 **an employer to perform the duties for which the employee will receive compensation.**

17 (2) **Except as provided in subsection (3) of this section, the State of Oregon preempts all**  
18 **charter and statutory authority of local governments to enact a requirement relating to an**  
19 **employee's work schedule or compensation.**

20 (3) **A local government may set work schedule or compensation requirements:**

21 (a) **For public employers; and**

22 (b) **In specifications for public contracts or subcontracts entered into by the local gov-**  
23 **ernment.**

24 **SECTION 2. Section 1 of this 2017 Act does not preempt the authority of a local govern-**  
25 **ment to provide protection to an employee that exceeds state requirements for protection**  
26 **from discrimination based on race, color, religion, sex, sexual orientation, national origin,**  
27 **marital status, familial status, source of income, disability, age, work-related injury or**  
28 **whistleblowing activity.**

29 **SECTION 3. ORS 653.017 is repealed.**

30 **SECTION 4. Sections 1 and 2, chapter 591, Oregon Laws 2015, are repealed.**

**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        **SECTION 5. This 2017 Act being necessary for the immediate preservation of the public**  
2        **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**  
3        **on its passage.**

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