

Requested by Senator DEMBROW

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 871**

1 On page 1 of the printed A-engrossed bill, line 2, delete “creating new
2 provisions; amending ORS 468A.757;”.

3 Delete lines 5 through 23 and delete page 2 and insert:

4 **“SECTION 1. (1) Subject to the provisions of this section, a city of
5 this state may establish by ordinance or otherwise a program for the
6 demolition of residences or residential buildings. A program estab-
7 lished under this subsection:**

8 **“(a) Must require a person performing a demolition to acquire a
9 permit from the city authorizing the person to perform the demolition;**

10 **“(b) If a person performing a demolition is a contractor, as defined
11 in ORS 701.005 (5)(a), and if a residence or residential building to be
12 demolished was built before January 1, 1978, must require the person,
13 as a condition of receiving a permit under this subsection, to submit
14 proof verifying that the person has been certified to engage in lead-
15 based pain activities in accordance with rules adopted by the Oregon
16 Health Authority;**

17 **“(c) If a residence or residential building to be demolished was built
18 before January 1, 1978, must require the person performing the demo-
19 lition to comport with some or all of a list of best practices developed
20 and periodically updated by the authority, in consultation with the
21 Department of Environmental Quality, the Construction Contractors**

1 **Board and other interested stakeholders, for the purpose of containing**
2 **lead particles that otherwise would be released into the air during a**
3 **demolition;**

4 **“(d) May require a person performing a demolition to provide a copy**
5 **of the asbestos survey required under ORS 468A.757 and notice of in-**
6 **tent to perform activities related to asbestos abatement to an agency**
7 **of the city before performing the demolition; and**

8 **“(e) May provide for the dissemination to the public of a document,**
9 **developed in coordination with the authority and the department,**
10 **listing answers to frequently asked questions about:**

11 **“(A) Best practices for containing lead particles that otherwise**
12 **would be released into the air during a demolition;**

13 **“(B) The asbestos survey required under ORS 468A.757; and**

14 **“(C) Asbestos abatement activities that must be conducted before**
15 **a demolition.**

16 **“(2) Subsection (1)(b) and (c) of this section does not apply to the**
17 **demolition of a residence or residential building built before January**
18 **1, 1978, if a person certified to inspect or assess structures for the**
19 **presence of lead-based paint in accordance with rules adopted by the**
20 **authority has determined that the residence or residential building**
21 **does not contain lead-based paint.**

22 **“(3)(a) Except as provided in paragraph (b) of this subsection, this**
23 **section does not prevent a city from adopting ordinances or otherwise**
24 **providing for the further regulation of demolitions of residences and**
25 **residential buildings.**

26 **“(b) After any best practices are developed as described in sub-**
27 **section (1)(c) of this section, a city may not adopt ordinances regard-**
28 **ing, or otherwise provide for, best practices for the purpose of**
29 **containing lead particles that otherwise would be released into the air**
30 **during a demolition that are in addition to any best practices devel-**

1 oped and updated as described in subsection (1)(c) of this section.

2 **“SECTION 2. (1) Section 1 of this 2017 Act becomes operative on**
3 **January 1, 2018.**

4 **“(2) The Oregon Health Authority, the Department of Environ-**
5 **mental Quality and the cities of this state may take any action before**
6 **the operative date specified in subsection (1) of this section that is**
7 **necessary to enable the authority, the department and the cities of**
8 **this state to exercise, on and after the operative date specified in**
9 **subsection (1) of this section, all the duties, functions and powers**
10 **conferred on the authority, the department and the cities of this state**
11 **by section 1 of this 2017 Act.**

12 **“SECTION 3. This 2017 Act takes effect on the 91st day after the**
13 **date on which the 2017 regular session of the Seventy-ninth Legislative**
14 **Assembly adjourns sine die.”.**

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