

SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3193

By COMMITTEE ON WORKFORCE

May 17

1 On page 1 of the printed A-engrossed bill, delete lines 5 through 15 and insert:

2 **“SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS 652.310 to**
3 **652.414.**

4 **“SECTION 2. (1)(a) If the Commissioner of the Bureau of Labor and Industries receives**
5 **a valid wage claim filed against a contractor or a business subject to licensing under ORS**
6 **chapter 701 for unpaid wages, the commissioner shall notify the Construction Contractors**
7 **Board and the contractor or the business of the claim within 30 days of the commissioner’s**
8 **receipt of the claim.**

9 **“(b) If wages are found due and the contractor or business fails to pay the unpaid wages**
10 **upon demand, the commissioner shall serve upon the contractor or business an order of de-**
11 **termination as prescribed under ORS 652.332.**

12 **“(2)(a) If an order issued under ORS 652.332 for the payment of a wage claim described**
13 **under subsection (1) of this section becomes final, the commissioner shall notify the board**
14 **of the final order.**

15 **“(b) The commissioner shall notify the board if the contractor or business fails to pay**
16 **the amounts due pursuant to the final order within 60 days of the date of the order, unless**
17 **a motion to stay the order is pending or has been granted by the commissioner under ORS**
18 **183.482.**

19 **“(3) As used in this section, ‘contractor’ has the meaning given that term in ORS**
20 **701.005.”.**

21 On page 2, delete lines 1 through 16.

22 In line 17, delete “4” and insert “3”.

23 Delete lines 42 through 45 and insert:

24 **“(f) For an employer that is a contractor or business licensed under ORS chapter 701, a state-**
25 **ment that failure to pay in full the wage claim and any penalties assessed within 60 days of the date**
26 **that an order of determination becomes final under this section will result in notification to the**
27 **Construction Contractors Board of such failure to pay and the suspension of the contractor’s or**
28 **business’s license in accordance with section 11 of this 2019 Act; and”.**

29 On page 3, delete line 1.

30 In line 26, delete “5” and insert “4”.

31 On page 4, line 28, delete “6” and insert “5”.

32 On page 5, delete lines 12 and 13 and insert:

33 **“(a) Revoke, suspend or refuse to issue a license to a business or an owner, officer or respon-**
34 **sible managing individual of the business that failed to pay the amounts due pursuant to the final**
35 **order;”.**

1 In line 18, delete “7” and insert “6”.
2 On page 6, delete lines 4 and 5 and insert:
3 “(5) Notice of a valid wage claim received under section 2 of this 2019 Act satisfies the notice
4 of intent to file a complaint required by subsection (1) of this section.”
5 In line 6, delete “8” and insert “7”.
6 In line 44, delete “9” and insert “8”.
7 On page 8, line 15, delete “10” and insert “9”.
8 On page 9, line 6, after the first “required” insert “is”.
9 Delete lines 17 through 24 and insert:
10 **“SECTION 10. Section 11 of this 2019 Act is added to and made a part of ORS chapter 701.**
11 **“SECTION 11. Upon receipt of the notification provided by the Commissioner of the Bu-**
12 **reau of Labor and Industries under section 2 of this 2019 Act stating that a contractor or a**
13 **business has failed to pay the amounts due as ordered in a final determination order within**
14 **60 days of the issuance of the order, the Construction Contractors Board shall, after notice**
15 **and opportunity for a hearing under ORS chapter 183, suspend the license of the contractor**
16 **or the business.**
17 **“SECTION 12. The amendments to ORS 652.332 by section 3 of this 2019 Act apply to**
18 **wages owed for labor performed on or after the effective date of this 2019 Act.”.**
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