

Requested by Representative FAHEY

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3193**

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

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

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

11 **“(b) If wages are found due and the contractor or business fails to
12 pay the unpaid wages upon demand, the commissioner shall serve
13 upon the contractor or business an order of determination as pre-
14 scribed under ORS 652.332.**

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

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

1 **183.482.**

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

4 On page 2, delete lines 1 through 16.

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

6 Delete lines 42 through 45 and insert:

7 “(f) For an employer that is a contractor or business licensed under ORS
8 chapter 701, a statement that failure to pay in full the wage claim and any
9 penalties assessed within 60 days of the date that an order of determination
10 becomes final under this section will result in notification to the Con-
11 struction Contractors Board of such failure to pay and the suspension of the
12 contractor’s or business’s license in accordance with section 11 of this 2019
13 Act; and”.

14 On page 3, delete line 1.

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

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

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

18 “(a) Revoke, suspend or refuse to issue a license to a business or an
19 owner, officer or responsible managing individual of the business that failed
20 to pay the amounts due pursuant to the final order;”.

21 In line 18, delete “7” and insert “6”.

22 On page 6, delete lines 4 and 5 and insert:

23 “(5) Notice of a valid wage claim received under section 2 of this 2019
24 Act satisfies the notice of intent to file a complaint required by subsection
25 (1) of this section.”.

26 In line 6, delete “8” and insert “7”.

27 In line 44, delete “9” and insert “8”.

28 On page 8, line 15, delete “10” and insert “9”.

29 On page 9, line 6, after “required” insert “is”.

30 Delete lines 17 through 24 and insert:

1 **“SECTION 10. Section 11 of this 2019 Act is added to and made a**
2 **part of ORS chapter 701.**

3 **“SECTION 11. Upon receipt of the notification provided by the**
4 **Commissioner of the Bureau of Labor and Industries under section 2**
5 **of this 2019 Act stating that a contractor or a business has failed to**
6 **pay the amounts due as ordered in a final determination order within**
7 **60 days of the issuance of the order, the Construction Contractors**
8 **Board shall, after notice and opportunity for a hearing under ORS**
9 **chapter 183, suspend the license of the contractor or the business.**

10 **“SECTION 12. The amendments to ORS 652.332 by section 3 of this**
11 **2019 Act apply to wages owed for labor performed on or after the ef-**
12 **fective date of this 2019 Act.”.**

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