

SB 228 A STAFF MEASURE SUMMARY

Carrier: Rep. Holvey

House Committee On Business and Labor**Action Date:** 05/17/23**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 6-0-5-0**Yeas:** 6 - Grayber, Holvey, Hudson, Nelson, Nosse, Sosa**Exc:** 5 - Boshart Davis, Elmer, Osborne, Owens, Scharf**Fiscal:** No fiscal impact**Revenue:** No revenue impact**Prepared By:** Erin Seiler, LPRO Analyst**Meeting Dates:** 5/3, 5/17**WHAT THE MEASURE DOES:**

Expands Construction Contractors Board (CCB) rulemaking authority when necessary to interpret, harmonize, streamline, adjust, or promote consistent application of work, license, or endorsement requirements. Expands CCB's rulemaking authority to identify exceptional circumstances for considering certain complaints that CCB would otherwise deny. Allows CCB to condition a license if a licensee or application violates certain regulations. Adds violation of settlement agreement as grounds for CCB action against a licensee or applicant. Makes technical and conforming amendments. Allows CCB to take disciplinary action against licensee or applicant who was previously subject to revocation or suspension of a license, or subject to a civil or criminal penalty, and the revocation, suspension, or penalty was related to the licensee's or applicant's construction work. Requires licensee who is exempt to affirm exempt status when renewing license. Requires licensee to notify CCB within 10 days of change in status from exempt to nonexempt or nonexempt to exempt. Operative January 1, 2024. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Provisions of measure
- Enhancing Construction Contractors Board (CCB) ability to protect consumers
- Ability of CCB to condition license
- Tools available on CCB website for consumers

EFFECT OF AMENDMENT:

Requires licensee who is exempt to affirm exempt status when renewing license. Requires licensee to notify Construction Contractors Board within 10 days of change in status from exempt to nonexempt or nonexempt to exempt.

BACKGROUND:

The Construction Contractors Board (CCB) consists of nine members, appointed by the Governor and confirmed by the Senate. The CCB investigates and enforces construction contractor regulations and licensing requirements. Oregon law governs when the board may take disciplinary action against a construction contractor licensee or applicant and when CCB may investigate complaints.

Senate Bill 228 A expands CCB's rulemaking authority to accept jurisdiction over complaints in exceptional circumstances. The measure expands the circumstances under which the CCB may take disciplinary action against a construction contractor licensee or applicant for violation of Oregon's construction contractor regulations.