

House Bill 2292

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Oregon Landscape Contractors Board)

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**.

Provides, with respect to contract with landscape contracting business, right of rescission within three business days after contract execution. Specifies exceptions to right.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to a right of rescission in contracts for landscaping work; and prescribing an effective date.

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

4 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS 671.510 to**
5 **671.760.**

6 **SECTION 2. (1)(a) A person that executes a written contract with a landscape contract-**
7 **ing business for work on real property that the person owns or leases may, within three**
8 **business days after the date of execution, rescind the contract as provided in paragraph (b)**
9 **of this subsection.**

10 **(b) A person that intends to rescind a contract described in paragraph (a) of this sub-**
11 **section shall deliver to the landscape contracting business a written notice that clearly**
12 **states the person's intent to rescind the contract. For purposes of this paragraph, a written**
13 **notice includes notice by means of facsimile, electronic mail or other electronic notice in**
14 **written form.**

15 **(2) A person may not rescind a contract as provided in subsection (1) of this section if:**

16 **(a) The person agrees in writing that the landscape contracting business may begin work**
17 **under the contract before the three-day period set forth in subsection (1) of this section ex-**
18 **pires; or**

19 **(b) The person agrees to an amendment of the terms or conditions of the contract after**
20 **the three-day period set forth in subsection (1) of this section expires.**

21 **(3)(a) At the same time a landscape contracting business executes a contract described**
22 **in subsection (1) of this section, the landscape contracting business shall provide written**
23 **notice of the right of rescission under this section to the person with whom the landscape**
24 **contracting business enters into the contract.**

25 **(b) The State Landscape Contractors Board by rule may specify the form and content of**
26 **the notice described in paragraph (a) of this subsection.**

27 **SECTION 3. (1) Section 2 of this 2023 Act becomes operative on January 2, 2024.**

28 **(2) The State Landscape Contractors Board may adopt rules and take any other action**
29 **before the operative date specified in subsection (1) of this section that is necessary to enable**
30 **the board, on and after the operative date specified in subsection (1) of this section, to**

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 undertake and exercise all of the duties, functions and powers conferred on the board by
2 section 2 of this 2023 Act.

3 SECTION 4. This 2023 Act takes effect on the 91st day after the date on which the 2023
4 regular session of the Eighty-second Legislative Assembly adjourns sine die.

5
