

**A-Engrossed**  
**House Bill 2649**

Ordered by the House April 10  
Including House Amendments dated April 10

Sponsored by Representative HOLVEY, Senator MANNING JR, Representative RUIZ; Representatives ANDERSEN, EVANS (Pre-session filed.)

**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.

Provides that qualifying agency must require as material provision of public improvement contract that contractor establish and implement plan for outreach to and recruitment and retention of women, minority individuals and veterans to perform work under public improvement contract, with aspirational target of having individuals in one or more of these groups perform at least 15 percent of total work hours that workers perform under public improvement contract. Specifies requirements for plan of outreach, recruitment and retention.

Requires contractor to report information concerning contractor's **and subcontractors'** compliance with provisions of Act to qualifying agency [*and that qualifying agency in turn report information to Oregon Department of Administrative Services, which must aggregate information for state and report results to committee of Legislative Assembly related to public contracting not later than March 1 of each odd-numbered year.*] **as part of or as supplement to certified statements required for reporting compliance with prevailing wage requirements. Specifies required contents of reports. Requires qualifying agency to report information collected from contractors to Bureau of Labor and Industries and requires bureau to make specified reports to Legislative Assembly.**

Provides that qualifying agency may reduce payment due to contractor for failure to comply with requirement to employ apprentices on public improvement project and specifies formula for calculating amount of penalty. [*Provides that Construction Contractors Board must list contractor or subcontractor that fails to pay apprentices as required as ineligible for award of public improvement contract for period of three years.*] **Requires qualifying agency to pay to State Treasury to credit of bureau amount equivalent to reduction of payment to contractor.**

Increases utilization of apprentices for work on public improvement projects from 12 percent of all work hours performed on the public improvement to 15 percent on January 1, [2025] **2027.**

Takes effect on 91st day following adjournment sine die.

**A BILL FOR AN ACT**

1  
2 Relating to workforce requirements; creating new provisions; amending ORS 279C.533; and pre-  
3 scribing an effective date.

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

5 **SECTION 1.** ORS 279C.533 is amended to read:

6 279C.533. (1) As used in this section:

7 (a) "Apprentice" has the meaning given that term in ORS 660.010.

8 (b) "Apprenticeable occupation" has the meaning given that term in ORS 660.010.

9 (c) "Apprenticeship agreement" has the meaning given that term in ORS 660.010.

10 (d) "Apprenticeship training program" means the total system of apprenticeship that a particular  
11 local joint committee, as defined in ORS 660.010, operates, including the local joint committee's  
12 registered standards and all other terms and conditions for qualifying, recruiting, selecting, em-  
13 ploying and training apprentices in an apprenticeable occupation.

14 (e) **"Minority individual" has the meaning given that term in ORS 200.005.**

**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 (f) **“Qualifying agency” means:**

2 (A) **A state contracting agency; and**

3 (B) **The Higher Education Coordinating Commission, a public university listed in ORS**  
4 **352.002 and a community college district, as defined in ORS 341.005, to the extent that the**  
5 **commission, the university or the district uses funds paid directly or indirectly from the**  
6 **State Treasury for all or a portion of the construction costs of a public improvement.**

7 (g) **“Veteran” has the meaning given that term in ORS 408.225.**

8 (h) **“Woman” has the meaning given that term in ORS 200.005.**

9 (2) A [state contracting] **qualifying** agency shall provide in each public improvement contract for  
10 which the contract price exceeds \$3 million that the contractor shall:

11 (a) **Employ apprentices to perform 12 percent or more of the work hours that workers in**  
12 **apprenticeable occupations perform for each contract on the public improvement; and**

13 (b) **Require in each subcontract [for which the contract price exceeds the lesser of \$1 million or**  
14 **25 percent of the price of the contract] with a contract price of \$750,000 or more that the subcon-**  
15 **tractor employ apprentices to perform 12 percent or more of the work hours that workers in**  
16 **apprenticeable occupations perform on the subcontract.**

17 (3) **A contractor or subcontractor shall pay an apprentice for work on the public improvement**  
18 **at the hourly rate to which the apprentice is entitled under an apprenticeship agreement or that the**  
19 **apprenticeship training program specifies.**

20 *[(4) Subject to the terms of the public improvement contract, a contractor on a public improvement*  
21 *may decide the locations in which, the types of work for which and other details concerning how the*  
22 *contractor employs apprentices for work on the public improvement. The contractor may meet the re-*  
23 *quirement set forth in subsection (2) of this section by requiring one or more subcontractors to employ*  
24 *apprentices for work on the public improvement.]*

25 (4)(a) **A qualifying agency shall require as a material provision of a public improvement**  
26 **contract that the contractor establish and implement a plan for outreach to and recruitment**  
27 **and retention of women, minority individuals and veterans to perform work under the public**  
28 **improvement contract, with an aspirational target of having individuals in one or more of**  
29 **these groups to compose at least 15 percent of the total number of workers who perform**  
30 **work under the public improvement contract. A contractor’s plan for outreach, recruitment**  
31 **and retention must require the contractor to, at a minimum:**

32 (A) **Advertise employment opportunities available under the public improvement contract**  
33 **in general circulation publications, trade association publications and publications that serve**  
34 **an audience or readership that consists primarily of minority individuals, women or veterans;**

35 (B) **Follow up on the contractor’s initial solicitations of interest by contacting minority**  
36 **individuals, women or veterans who expressed interest in or responded to the initial solici-**  
37 **itation to determine with certainty whether the minority individual, woman or veteran is**  
38 **interested in the opportunities described in subparagraph (A) of this paragraph;**

39 (C) **Provide all persons who express continued interest with adequate information about**  
40 **hiring qualifications, pay rates, benefits, the expected duration of employment, work hours**  
41 **and other conditions of employment under the public improvement contract;**

42 (D) **Make efforts to encourage minority individuals, women and veterans to seek em-**  
43 **ployment under the public improvement contract that the contractor may reasonably expect**  
44 **will produce a level of participation that meets the aspirational target described in this par-**  
45 **agraph; and**

1       **(E) Use the services of minority community organizations, local, state, federal and tribal**  
2 **governments or other organizations that have recruiting, training and otherwise assisting**  
3 **minority individuals, women and veterans as the organization's primary purpose or mission**  
4 **to assist the contractor with outreach, recruitment and retention.**

5       **(b) A contractor shall demonstrate adequate good faith efforts to comply with the re-**  
6 **quirements of paragraph (a) of this subsection.**

7       **(c) A contractor shall require any subcontractor with which the contractor has a sub-**  
8 **contract with a contract price of \$750,000 or more to comply with the requirements set forth**  
9 **for the contractor in paragraph (a) of this subsection.**

10       ~~[(5)]~~ **(5)(a) A contractor shall report the extent of the contractor's compliance with this section**  
11 **and the compliance of a subcontractor described in subsection (4)(c) of this section to the**  
12 ~~[state contracting]~~ **qualifying** agency on forms, **in a format and** with contents the ~~[state contracting~~  
13 ~~agency]~~ **Commissioner of the Bureau of Labor and Industries** specifies by rule, and at regular  
14 intervals that the ~~[state contracting]~~ **qualifying** agency specifies in the public improvement contract.  
15 ~~[The forms and the contents that the state contracting agency specifies must include, at a minimum, a~~  
16 ~~report in which the contractor provides a detailed accounting of the total number of work hours each~~  
17 ~~month and the cumulative total number of work hours since the public improvement contract term be-~~  
18 ~~gan in which:]~~

19       ~~[(a) Workers in apprenticeable occupations performed work on the public improvement; and]~~

20       ~~[(b) Apprentices performed work on the public improvement.]~~

21       **(b) A qualifying agency shall require the contractor to submit for each contract and**  
22 **subcontract the report described in paragraph (a) of this subsection as part of, or as a sup-**  
23 **plement to, certified statements required under ORS 279C.845, shall require contractors to**  
24 **preserve the reports as provided for certified statements in ORS 279C.845 (5), may disclose**  
25 **the reports as provided in ORS 279C.845 (6) and may enforce a failure to submit a report as**  
26 **provided in ORS 279C.845 (7). The reports described in this subsection must include, at a**  
27 **minimum, for each contract or subcontract related to the public improvement contract:**

28       **(A) The name of or other identification for the public improvement project;**

29       **(B) The city or county in which the public improvement project is located;**

30       **(C) A detailed accounting of:**

31       **(i) The total number of hours of work that workers performed under each contract and**  
32 **subcontract;**

33       **(ii) The total number of hours of work that workers performed in each apprenticeable**  
34 **trade or craft for each contract and subcontract on the public improvement;**

35       **(iii) The total number of hours of work that apprentices performed for each contract and**  
36 **subcontract on the public improvement; and**

37       **(iv) The total number of hours of work that apprentices in each trade or craft performed**  
38 **for each contract and subcontract on the public improvement; and**

39       **(D) The total number of workers who performed construction work and the total num-**  
40 **bers of minority individuals, women and veterans who performed construction work under**  
41 **the public improvement contract. A report under this subparagraph must separately list for**  
42 **each worker the worker's race, ethnicity, gender, veteran status and, as applicable, trade,**  
43 **craft or job category. The Commissioner of the Bureau of Labor and Industries by rule may**  
44 **specify a method for identifying, collecting and reporting the information required under this**  
45 **subparagraph, which may consist of methods the United States Equal Employment Oppor-**

1 **tunity Commission prescribes in regulations the United States Equal Employment Opportu-**  
 2 **nity Commission adopts under Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et seq.**

3 (6) At least 30 days before making any final payment to a contractor under a public improve-  
 4 ment contract, a *[state contracting]* **qualifying** agency shall determine the extent of the contractor's  
 5 compliance with the *[requirement]* **requirements** in *[subsection (2)]* **subsections (2) and (3)** of this  
 6 section. The *[state contracting]* **qualifying** agency shall base the determination on the ratio between  
 7 the actual number of work hours that workers in apprenticeable occupations performed **for each**  
 8 **contract and subcontract** on the public improvement and the actual number of work hours that  
 9 apprentices performed **for each contract and subcontract** on the public improvement, as shown  
 10 in reports the *[state contracting]* **qualifying** agency receives under subsection (5) of this section.

11 (7)(a) **Not later than 30 days after making a final payment to a contractor under a public**  
 12 **improvement contract, a qualifying agency shall report to the Bureau of Labor and Indus-**  
 13 **tries the information the qualifying agency collected from the contractor under subsection**  
 14 **(5) of this section, together with the qualifying agency's determination under subsection (6)**  
 15 **of this section as to whether the contractor and any subcontractor met the requirements for**  
 16 **employing and paying apprentices set forth in subsections (2) and (3) of this section. The**  
 17 **bureau may specify the form and contents of a report under this paragraph and may require**  
 18 **the qualifying agency to also report aggregated data.**

19 (b) **Not later than January 2 of each odd-numbered year, the bureau shall report to a**  
 20 **committee of the Legislative Assembly that considers matters related to apprenticeship and**  
 21 **apprenticeship utilization on public improvement contracts the following data concerning**  
 22 **each public improvement contract and subcontract that each qualifying agency completed**  
 23 **within the previous two years:**

24 (A) **The total number of hours of work that workers performed for each contract or**  
 25 **subcontract on all public improvement projects;**

26 (B) **The total number of hours of work that workers performed in each apprenticeable**  
 27 **trade and craft for each contract and subcontract on all public improvement projects;**

28 (C) **The total number of hours of work that apprentices performed for each contract and**  
 29 **subcontract on all public improvement projects;**

30 (D) **The total number of hours of work that apprentices in each apprenticeable trade or**  
 31 **craft performed for each contract and subcontract on all public improvement projects;**

32 (E) **The total number of minority individuals, women and veterans who performed work**  
 33 **on the public improvement projects; and**

34 (F) **Any additional information the bureau determines is necessary to carry out the pur-**  
 35 **poses of this section.**

36 (8)(a) **A qualifying agency shall reduce the payment due under a public improvement**  
 37 **contract to a contractor that does not meet the requirements set forth under subsections**  
 38 **(2) and (3) of this section. The amount of the reduction must be equivalent to the difference**  
 39 **between the total number of work hours that apprentices in apprenticeable occupations**  
 40 **should have performed on the public improvement project to meet the requirement set forth**  
 41 **in subsection (2) of this section less the total number of work hours that apprentices in**  
 42 **apprenticeable occupations actually performed on the public improvement project, multiplied**  
 43 **by \$15 per hour.**

44 (b) **The qualifying agency shall pay the amount of the reduction under paragraph (a) of**  
 45 **this subsection to the State Treasury to the credit of the Bureau of Labor and Industries**

1 **Account established under ORS 651.160. The bureau shall use the amount deposited to fund**  
2 **expansions of apprenticeship training programs, with a focus on programs in areas of this**  
3 **state where contractors did not meet the targets specified in subsection (2) of this section.**

4 **(c) A contractor, in a subcontract related to the contractor’s public improvement con-**  
5 **tract, may provide to the same extent described in paragraph (a) of this subsection for a**  
6 **reduction in the amount due to the subcontractor if the subcontractor fails to perform the**  
7 **subcontract in accordance with the contractor’s requirements under subsections (2) and (3)**  
8 **of this section. The contractor may also provide in the contract for a reduction in the**  
9 **amount due a subcontractor that fails to comply with subsection (4)(c) of this section.**

10 [(7)] (9) This section does not apply to[:]

11 [(a) *The Department of Transportation or a public improvement contract that a contractor enters*  
12 *into with the department; or]*

13 [(b) a public contract that a [state contracting] **qualifying** agency enters into under ORS  
14 279B.080.

15 **SECTION 2.** ORS 279C.533, as amended by section 1 of this 2023 Act, is amended to read:  
16 279C.533. (1) As used in this section:

17 (a) “Apprentice” has the meaning given that term in ORS 660.010.

18 (b) “Apprenticeable occupation” has the meaning given that term in ORS 660.010.

19 (c) “Apprenticeship agreement” has the meaning given that term in ORS 660.010.

20 (d) “Apprenticeship training program” means the total system of apprenticeship that a particular  
21 local joint committee, as defined in ORS 660.010, operates, including the local joint committee’s  
22 registered standards and all other terms and conditions for qualifying, recruiting, selecting, em-  
23 ploying and training apprentices in an apprenticeable occupation.

24 (e) “Minority individual” has the meaning given that term in ORS 200.005.

25 (f) “Qualifying agency” means:

26 (A) A state contracting agency; and

27 (B) The Higher Education Coordinating Commission, a public university listed in ORS 352.002  
28 and a community college district, as defined in ORS 341.005, to the extent that the commission, the  
29 university or the district uses funds paid directly or indirectly from the State Treasury for all or a  
30 portion of the construction costs of a public improvement.

31 (g) “Veteran” has the meaning given that term in ORS 408.225.

32 (h) “Woman” has the meaning given that term in ORS 200.005.

33 (2) A qualifying agency shall provide in each public improvement contract for which the con-  
34 tract price exceeds \$3 million that the contractor shall:

35 (a) Employ apprentices to perform [12] **15** percent or more of the work hours that workers in  
36 apprenticeable occupations perform for each contract on the public improvement; and

37 (b) Require in each subcontract with a contract price of \$750,000 or more that the subcontractor  
38 employ apprentices to perform [12] **15** percent or more of the work hours that workers in  
39 apprenticeable occupations perform on the subcontract;

40 (3) A contractor or subcontractor shall pay an apprentice for work on the public improvement  
41 at the hourly rate to which the apprentice is entitled under an apprenticeship agreement or that the  
42 apprenticeship training program specifies.

43 (4)(a) A qualifying agency shall require as a material provision of a public improvement contract  
44 that the contractor establish and implement a plan for outreach to and recruitment and retention  
45 of women, minority individuals and veterans to perform work under the public improvement con-

1 tract, with an aspirational target of having individuals in one or more of these groups to compose  
2 at least 15 percent of the total number of workers who perform work under the public improvement  
3 contract. A contractor's plan for outreach, recruitment and retention must require the contractor  
4 to, at a minimum:

5 (A) Advertise employment opportunities available under the public improvement contract in  
6 general circulation publications, trade association publications and publications that serve an audi-  
7 ence or readership that consists primarily of minority individuals, women or veterans;

8 (B) Follow up on the contractor's initial solicitations of interest by contacting minority individ-  
9 uals, women or veterans who expressed interest in or responded to the initial solicitation to deter-  
10 mine with certainty whether the minority individual, woman or veteran is interested in the  
11 opportunities described in subparagraph (A) of this paragraph;

12 (C) Provide all persons who express continued interest with adequate information about hiring  
13 qualifications, pay rates, benefits, the expected duration of employment, work hours and other con-  
14 ditions of employment under the public improvement contract;

15 (D) Make efforts to encourage minority individuals, women and veterans to seek employment  
16 under the public improvement contract that the contractor may reasonably expect will produce a  
17 level of participation that meets the aspirational target described in this paragraph; and

18 (E) Use the services of minority community organizations, local, state, federal and tribal gov-  
19 ernments or other organizations that have recruiting, training and otherwise assisting minority in-  
20 dividuals, women and veterans as the organization's primary purpose or mission to assist the  
21 contractor with outreach, recruitment and retention.

22 (b) A contractor shall demonstrate adequate good faith efforts to comply with the requirements  
23 of paragraph (a) of this subsection.

24 (c) A contractor shall require any subcontractor with which the contractor has a subcontract  
25 with a contract price of \$750,000 or more to comply with the requirements set forth for the con-  
26 tractor in paragraph (a) of this subsection.

27 (5)(a) A contractor shall report the extent of the contractor's compliance with this section and  
28 the compliance of a subcontractor described in subsection (4)(c) of this section to the qualifying  
29 agency on forms, in a format and with contents the Commissioner of the Bureau of Labor and In-  
30 dustries specifies by rule, and at regular intervals that the qualifying agency specifies in the public  
31 improvement contract.

32 (b) A qualifying agency shall require the contractor to submit for each contract and subcontract  
33 the report described in paragraph (a) of this subsection as part of, or as a supplement to, certified  
34 statements required under ORS 279C.845, shall require contractors to preserve the reports as pro-  
35 vided for certified statements in ORS 279C.845 (5), may disclose the reports as provided in ORS  
36 279C.845 (6) and may enforce a failure to submit a report as provided in ORS 279C.845 (7). The re-  
37 ports described in this subsection must include, at a minimum, for each contract or subcontract re-  
38 lated to the public improvement contract:

39 (A) The name of or other identification for the public improvement project;

40 (B) The city or county in which the public improvement project is located;

41 (C) A detailed accounting of:

42 (i) The total number of hours of work that workers performed under each contract and subcon-  
43 tract;

44 (ii) The total number of hours of work that workers performed in each apprenticeable trade or  
45 craft for each contract and subcontract on the public improvement;

1 (iii) The total number of hours of work that apprentices performed for each contract and sub-  
2 contract on the public improvement; and

3 (iv) The total number of hours of work that apprentices in each trade or craft performed for  
4 each contract and subcontract on the public improvement; and

5 (D) The total number of workers who performed construction work and the total numbers of  
6 minority individuals, women and veterans who performed construction work under the public im-  
7 provement contract. A report under this subparagraph must separately list for each worker the  
8 worker's race, ethnicity, gender, veteran status and, as applicable, trade, craft or job category. The  
9 Commissioner of the Bureau of Labor and Industries by rule may specify a method for identifying,  
10 collecting and reporting the information required under this subparagraph, which may consist of  
11 methods the United States Equal Employment Opportunity Commission prescribes in regulations the  
12 United States Equal Employment Opportunity Commission adopts under Title VII of the Civil Rights  
13 Act of 1964, 42 U.S.C. 2000e et seq.

14 (6) At least 30 days before making any final payment to a contractor under a public improve-  
15 ment contract, a qualifying agency shall determine the extent of the contractor's compliance with  
16 the requirements in subsections (2) and (3) of this section. The qualifying agency shall base the  
17 determination on the ratio between the actual number of work hours that workers in apprenticeable  
18 occupations performed for each contract and subcontract on the public improvement and the actual  
19 number of work hours that apprentices performed for each contract and subcontract on the public  
20 improvement, as shown in reports the qualifying agency receives under subsection (5) of this section.

21 (7)(a) Not later than 30 days after making a final payment to a contractor under a public im-  
22 provement contract, a qualifying agency shall report to the Bureau of Labor and Industries the in-  
23 formation the qualifying agency collected from the contractor under subsection (5) of this section,  
24 together with the qualifying agency's determination under subsection (6) of this section as to  
25 whether the contractor and any subcontractor met the requirements for employing and paying ap-  
26 prentices set forth in subsections (2) and (3) of this section. The bureau may specify the form and  
27 contents of a report under this paragraph and may require the qualifying agency to also report ag-  
28 gregated data.

29 (b) Not later than January 2 of each odd-numbered year, the bureau shall report to a committee  
30 of the Legislative Assembly that considers matters related to apprenticeship and apprenticeship  
31 utilization on public improvement contracts the following data concerning each public improvement  
32 contract and subcontract that each qualifying agency completed within the previous two years:

33 (A) The total number of hours of work that workers performed for each contract or subcontract  
34 on all public improvement projects;

35 (B) The total number of hours of work that workers performed in each apprenticeable trade or  
36 craft for each contract and subcontract on all public improvement projects;

37 (C) The total number of hours of work that apprentices performed for each contract and sub-  
38 contract on all public improvement projects;

39 (D) The total number of hours of work that apprentices in each apprenticeable trade or craft  
40 performed for each contract and subcontract on all public improvement projects;

41 (E) The total number of minority individuals, women and veterans who performed work on the  
42 public improvement projects; and

43 (F) Any additional information the bureau determines is necessary to carry out the purposes of  
44 this section.

45 (8)(a) A qualifying agency shall reduce the payment due under a public improvement contract

1 to a contractor that does not meet the requirements set forth under subsections (2) and (3) of this  
2 section. The amount of the reduction must be equivalent to the difference between the total number  
3 of work hours that apprentices in apprenticeable occupations should have performed on the public  
4 improvement project to meet the requirement set forth in subsection (2) of this section less the total  
5 number of work hours that apprentices in apprenticeable occupations actually performed on the  
6 public improvement project, multiplied by \$15 per hour.

7 (b) The qualifying agency shall pay the amount of the reduction under paragraph (a) of this  
8 subsection to the State Treasury to the credit of the Bureau of Labor and Industries Account es-  
9 tablished under ORS 651.160. The bureau shall use the amount deposited to fund expansions of ap-  
10 prenticeship training programs, with a focus on programs in areas of this state where contractors  
11 did not meet the targets specified in subsection (2) of this section.

12 (c) A contractor, in a subcontract related to the contractor's public improvement contract, may  
13 provide to the same extent described in paragraph (a) of this subsection for a reduction in the  
14 amount due to the subcontractor if the subcontractor fails to perform the subcontract in accordance  
15 with the contractor's requirements under subsections (2) and (3) of this section. The contractor may  
16 also provide in the contract for a reduction in the amount due a subcontractor that fails to comply  
17 with subsection (4)(c) of this section.

18 (9) This section does not apply to a public contract that a qualifying agency enters into under  
19 ORS 279B.080.

20 **SECTION 3. The amendments to ORS 279C.533 by section 1 of this 2023 Act apply to**  
21 **procurements that a qualifying agency advertises or otherwise solicits or, if the qualifying**  
22 **agency does not advertise or otherwise solicit the procurement, to public improvement con-**  
23 **tracts into which the qualifying agency enters on and after the operative date specified in**  
24 **section 4 (1) of this 2023 Act.**

25 **SECTION 4. (1) The amendments to ORS 279C.533 by section 1 of this 2023 Act become**  
26 **operative on January 1, 2024.**

27 **(2) The amendments to ORS 279C.533 by section 2 of this 2023 Act become operative on**  
28 **January 1, 2027.**

29 **(3) The Attorney General, the Commissioner of the Bureau of Labor and Industries, the**  
30 **Director of the Oregon Department of Administrative Services, the Director of Transporta-**  
31 **tion and a qualifying agency, as defined in section 1 of this 2023 Act, that adopts rules under**  
32 **ORS 279A.065 or 279A.070, or under another provision of law that provides for adopting rules**  
33 **related to public contracting, may adopt rules and take any other action before the operative**  
34 **date specified in subsection (1) of this section that is necessary to enable the Attorney**  
35 **General, the commissioner, the directors or the qualifying agency, on and after the operative**  
36 **date specified in subsection (1) of this section, to undertake and exercise all of the duties,**  
37 **functions and powers conferred on the Attorney General, the commissioner, the directors**  
38 **or the qualifying agency under the amendments to ORS 279C.533 by section 1 of this 2023**  
39 **Act.**

40 **SECTION 5. This 2023 Act takes effect on the 91st day after the date on which the 2023**  
41 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**