

SB 228-1
(LC 569)
5/10/23 (TSB/ps)

Requested by HOUSE COMMITTEE ON BUSINESS AND LABOR (at the request of Representative Paul Holvey)

**PROPOSED AMENDMENTS TO
SENATE BILL 228**

1 On page 1 of the printed bill, delete line 3 and insert “701.063, 701.098,
2 701.117 and 701.992; and prescribing an effective date.”.

3 On page 3, after line 28, insert:

4 **“SECTION 4.** ORS 701.063 is amended to read:

5 “701.063. (1) A license is valid for two years from the date of issuance
6 unless the license is revoked or suspended as set forth in ORS 701.098.

7 “(2) A **person may renew a** license [*may be renewed*] by submitting an
8 application for renewal on the prescribed form, providing any additional in-
9 formation required, including evidence of completion of any required educa-
10 tion **and an affirmation of the person’s status as exempt under ORS**
11 **701.035 (2)(b), if the person continues to qualify as exempt**, and submit-
12 ting the appropriate application fee, as provided by Construction Contractors
13 Board rule.

14 “(3) The board may vary the dates of license renewal by giving to the
15 licensee written notice of the renewal date assigned and by making appro-
16 priate adjustments in the fee for the license renewal application.

17 “(4) If a contractor applies for renewal not more than two years after the
18 contractor’s license lapses, upon the contractor’s compliance with the re-
19 quirements of subsection (2) of this section, the board may renew the lapsed
20 license. The board may designate the effective date of renewal as the last
21 date on which the contractor was licensed.

1 “(5) A contractor may convert a license to inactive status if the contrac-
2 tor is not engaged in work as a contractor. A contractor having an inactive
3 license is subject to board licensing requirements and application fees, but
4 is not subject to the bonding requirement of ORS 701.068 or the insurance
5 requirement of ORS 701.073. A commercial general or commercial specialty
6 contractor having an inactive license is not subject to the key employee
7 continuing education requirements of ORS 701.086. An inactive license is
8 not considered a valid license for purposes of offering to undertake con-
9 struction work, submitting a bid for construction work, obtaining a building
10 permit or performing construction work. A license may not be placed or
11 maintained in inactive status more than once during any two-year licensing
12 term.

13 “(6) The board shall issue a pocket-card certificate of licensure to a con-
14 tractor licensed under this chapter indicating the type of license issued.”.

15 In line 29, delete “4” and insert “5”.

16 On page 6, after line 15, insert:

17 **“SECTION 6.** ORS 701.117 is amended to read:

18 “701.117. (1) A contractor shall notify the Construction Contractors Board
19 of:

20 **“(a) Any change of address while licensed and for one year following the**
21 **date the contractor’s license expires or otherwise becomes inactive[.]; and**

22 **“(b) A change in the contractor’s status as exempt under ORS**
23 **701.035 (2)(b) to nonexempt under ORS 701.035 (2)(a), or from nonex-**
24 **empt to exempt.**

25 **“(2) The contractor shall [so] notify the board of a change described in**
26 **subsection (1) of this section within 10 days [of] after the date upon which**
27 **the change [of address] occurs. A failure to provide timely notification**
28 **under this subsection is a violation that is subject to the penalties**
29 **provided in ORS 701.992 (4).**

30 **“(3) Initial notice of a contested case directed by the board to the last-**

1 known address of record [*shall be considered*] **is** delivered when deposited in
2 the United States mail and sent registered or certified or post office receipt
3 secured. Any other communication directed by the board to the last-known
4 address of record [*shall be considered*] **is** delivered when deposited in the
5 United States mail, regular mail.”.

6 In line 16, delete “5” and insert “7”.

7 Delete lines 24 and 25 and insert:

8 “(4) The board shall impose sanctions for a violation of ORS 701.098 (1)(k)
9 on the person to whom a contract is awarded and the person who awards the
10 contract, and sanctions on a contractor for a violation of ORS 701.117 (2),
11 as follows:”.

12 Delete lines 33 through 42 and insert:

13 **“SECTION 8. (1) Section 2 of this 2023 Act and the amendments to**
14 **ORS 701.046, 701.063, 701.098, 701.117 and 701.992 by sections 3 to 7 of this**
15 **2023 Act become operative on January 1, 2024.**

16 **“(2) The Construction Contractors Board may adopt rules and take**
17 **any other action before the operative date specified in subsection (1)**
18 **of this section that is necessary to enable the board, on and after the**
19 **operative date specified in subsection (1) of this section, to undertake**
20 **and exercise all of the duties, functions and powers conferred on the**
21 **board by section 2 of this 2023 Act and the amendments to ORS 701.046,**
22 **701.063, 701.098, 701.117 and 701.992 by sections 3 to 7 of this 2023 Act.**

23 **“SECTION 9. This 2023 Act takes effect on the 91st day after the**
24 **date on which the 2023 regular session of the Eighty-second Legislative**
25 **Assembly adjourns sine die.”.**

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