

HB 3194 -2 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 2/27, 3/10, 4/7

WHAT THE MEASURE DOES:

The measure establishes joint and several liability for landowners and farmworker camp operators who violate farmworker camp operator requirements and duties. The measure also increases the minimum damages recoverable for violations of farmworker camp regulations from \$500 to \$2,000.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 The amendment excludes landowner liability from properties within an exclusive farm use (EFU) zone qualified for special assessment under ORS 308A.062. It allows landowners to avoid joint and several liability for unregistered farmworker camps if they can show: (1) they had a written agreement with the camp operator, delegated authority to operate the camp, and verified compliance with ORS 658.705 to 658.850; (2) they reasonably lacked actual or constructive knowledge of the camp and took prompt action upon learning of it; or (3) they had expressly prohibited camp operations in writing. Claimants may rebut these defenses by showing the landowner knew about the camp or failed to take reasonable steps to monitor compliance with the agreement.

BACKGROUND:

Oregon law regulates farmworker camps to ensure safe living conditions for agricultural workers. Under current law, farmworker camp operators must meet licensing and compliance requirements. House Bill 3194 clarifies that both landowners and operators share liability unless the landowner can demonstrate they exercised due diligence in verifying compliance and had no knowledge or reason to know of violations. The bill also increases financial penalties for violations.