

House Bill 2425

Sponsored by Representative DIEHL, Senator SMITH DB (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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Tells a public body that buys electric cars or solar panels that it needs proof from the vendor that no forced labor was used in producing the car or panel. Specifies penalties for lying about the proof. (Flesch Readability Score: 66.8).

Requires public bodies that procure electric vehicles and solar photovoltaic energy systems to receive before entering a contract for the electric vehicle or solar photovoltaic energy system a certification from the manufacturer, distributor, vendor or supplier that the production, assembly, transportation or sale of the electric vehicle or solar photovoltaic energy system did not use or involve forced labor or oppressive child labor. Requires probative evidence to accompany the certification.

Provides that a person that supplies a certification that is false, materially misleading, illegitimate, untruthful, forged or substantially inaccurate is liable for a civil penalty of not more than \$10,000 or half of the price the public body paid for the electric vehicle or solar photovoltaic energy system. Subjects the public body to similar penalties for knowingly or intentionally accepting a certification that the public body knows is false, materially misleading, illegitimate, untruthful, forged or substantially inaccurate.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to ensuring that forced labor is not used for electric products that public bodies procure;
3 and prescribing an effective date.

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

SECTION 1. (1) As used in this section:

5
6 (a) **“Electric vehicle” means a motor vehicle that uses for propulsion electricity drawn**
7 **from a battery that may be recharged from an external source of electricity.**

8 (b) **“Forced labor” means work or service that an individual does involuntarily and:**

9 (A) **Under compulsion from:**

10 (i) **Force, fraud or coercion, including by a threat of serious harm to, or physical re-**
11 **straint of, the individual or a threat of serious harm to, or physical restraint of, another**
12 **person; or**

13 (ii) **An abuse or threatened abuse of the law or legal process;**

14 (B) **That constitutes oppressive child labor;**

15 (C) **Is uncompensated or extremely low paying, involves excessively long hours or is un-**
16 **usually risky or hazardous; or**

17 (D) **Is assigned to or required from the individual on the basis of the individual’s race,**
18 **color, religion, sex, sexual orientation, national origin, disability or membership in another**
19 **class that is recognized and protected by law.**

20 (c) **“Oppressive child labor” means work that employs a child that is fourteen years of**
21 **age or younger and is hazardous for children.**

22 (d) **“Public body” means the state government, as defined in ORS 174.111, local govern-**

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 ment, as defined in ORS 174.116, a special government body, as defined in ORS 174.117, the
 2 Oregon State Bar, the Oregon Health and Science University and any intergovernmental
 3 entity formed between or among any of the entities listed in this paragraph.

4 (e) “Solar photovoltaic energy system” has the meaning given that term in ORS 757.360.

5 (2)(a) A public body may not enter into a contract to procure an electric vehicle, a solar
 6 photovoltaic energy system or a component of an electric vehicle or solar photovoltaic en-
 7 ergy system unless the public body receives before executing the contract a certification
 8 from the manufacturer, distributor, vendor or supplier of the electric vehicle or solar
 9 photovoltaic energy system that the production, assembly, transportation or sale of the
 10 electric vehicle or solar photovoltaic energy system did not use or involve forced labor or
 11 oppressive child labor. The certification must include probative evidence that the certifica-
 12 tion is legitimate, authoritative, truthful and accurate.

13 (b) A public body may by rule, ordinance or other legislative process specify appropriate
 14 criteria and standards for determining the legitimacy, authority, truthfulness and accuracy
 15 of a certification under paragraph (a) of this subsection. The public body may choose to rely
 16 on the certification of a reputable third party organization in making the determination.

17 (3) If a certification that a person gives to a public body under subsection (2)(b) of this
 18 section is false, materially misleading, illegitimate, untruthful, forged or substantially inac-
 19 curate, the public body shall:

20 (a) Cancel, terminate or refuse to enter into the contract for the electric vehicle or solar
 21 photovoltaic energy system; or

22 (b) Impose a civil penalty of the greater of:

23 (A) Not more than \$10,000; or

24 (B) An amount that is equivalent to one-half of the price the public body paid for the
 25 electric vehicle or solar photovoltaic energy system.

26 (4)(a) If a public body knowingly or intentionally enters into a contract for an electric
 27 vehicle or solar photovoltaic energy system without receiving the certification described in
 28 subsection (2)(b) of this section or an official of the public body accepts a certification that
 29 the official knows is false, materially misleading, illegitimate, untruthful, forged or substan-
 30 tially inaccurate, the Attorney General or a district attorney shall bring an action in a court
 31 of this state to recover as damages an amount that is the greater of:

32 (A) The entire price that the public body paid for the electric vehicle or solar photovoltaic
 33 electric system; or

34 (B) \$10,000.

35 (b) The Attorney General shall deposit moneys the Attorney General recovers in an
 36 action under paragraph (a) of this subsection into the Common School Fund.

37 (c) A district attorney shall deposit moneys the district attorney recovers in an action
 38 under paragraph (a) of this subsection equally among the school funds of each school district
 39 within the county in which the district attorney brought the action.

40 **SECTION 2.** Section 1 of this 2025 Act applies to contracts to procure electric vehicles
 41 or solar photovoltaic energy systems that a public body enters into on or after the effective
 42 date of this 2025 Act.

43 **SECTION 3.** This 2025 Act takes effect on the 91st day after the date on which the 2025
 44 regular session of the Eighty-third Legislative Assembly adjourns sine die.