

A-Engrossed House Bill 3194

Ordered by the House June 17
Including House Amendments dated June 17

Sponsored by Representative MARSH, Senator MANNING JR, Representative VALDERRAMA, Senator GOLDEN; Representatives ANDERSEN, CHAICHI, CHOTZEN, GRAYBER, MUNOZ, Senators JAMA, PATTERSON, PHAM K, PROZANSKI, TAYLOR (Presession 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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes new laws about farmworker camps. (Flesch Readability Score: 82.3).

Establishes *[that landowners and persons acting as farmworker camp operators are jointly and severally liable for operating a farmworker camp on the landowner's property unless certain conditions are met.]* **joint and several liability for landowners under certain circumstances involving the operation of farmworker camps. Creates a rebuttable presumption that a landowner did not know and could not reasonably have known of the operation of an unregistered farmworker camp on the landowner's property if the landowner produces a lease agreement expressly prohibiting such activity.**

Modifies remedies that may be sought for violations of certain requirements for farmworker camps.

A BILL FOR AN ACT

Relating to farmworker camps; creating new provisions; and amending ORS 658.805.

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

SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 658.705 to 658.850.

SECTION 2. (1) As used in this section, "landowner" means any person that has a substantial ownership interest in real property.

(2) A landowner who, at the time of the farmworker camp's operation, knows or should have known that the landowner's property is being used as the site of a farmworker camp shall be jointly and severally liable with the person acting as the farmworker camp operator to the same extent and in the same manner as provided in ORS 658.805 (3) and (4).

(3) There is a rebuttable presumption that a landowner did not know and could not reasonably have known of the operation of an unregistered farmworker camp on the landowner's property if the landowner produces a written lease agreement or a copy thereof that expressly prohibits the operation of an unregistered farmworker camp on the property by the lessee or any other person. The presumption may be rebutted by a preponderance of the evidence that the landowner knew or should have known of the operation of the farmworker camp.

SECTION 3. ORS 658.805 is amended to read:

658.805. (1) Except to appeal from an act or determination of the Commissioner of the Bureau of Labor and Industries or the Department of Consumer and Business Services, no person operating a farmworker camp, as defined in ORS 658.705, is entitled to demand, receive or accept any fee di-

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.

rectly or indirectly or maintain any suit or action in the courts of this state involving the farmworker camp, without alleging and proving that the person was registered or indorsed to operate a farmworker camp.

(2) The commissioner, Director of the Department of Consumer and Business Services or any local governmental agency may bring suit in any court of competent jurisdiction to enjoin any person from violating any of the provisions of ORS 658.705 to 658.850, or rules adopted pursuant thereto, and from committing future violations.

(3) Any aggrieved person may bring suit in any court of competent jurisdiction *[to enjoin]* **against** any person violating ORS 658.715 (1) or 658.755 (2)(a) *[from violating]* **who violates** any of the provisions of ORS 658.705 to 658.850, or rules adopted pursuant thereto, **to recover damages and to enjoin the person** *[and]* from committing future violations.

(4) In actions brought pursuant to this section, the court may award to the prevailing party costs and disbursements and a reasonable attorney fee. In addition, if damages are found, the amount of damages recoverable from a farmworker camp operator who is subject to suit pursuant to subsection (3) of this section who violates ORS 658.705 to 658.850 is actual damages or *[\$500]* **\$2,000**, whichever is greater.
