

**A-Engrossed**  
**Senate Bill 150**

Ordered by the Senate March 26  
Including Senate Amendments dated March 26

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Veterans, Emergency Management, Federal and World Affairs)

**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: Says that a person may not get money or an item of value for helping another person get a veteran's benefit except as federal or state law allows. Gives a person a right to sue another person for breaking the law. Takes effect 91 days after the session ends. (Flesch Readability Score: 62.4).

Prohibits receiving compensation for performing certain services for or on behalf of an applicant or a claimant for a veteran's benefit except as provided in applicable federal or state law. **Defines "unreasonable fee" and prohibits receiving unreasonable fees for the services. Requires the Department of Veterans' Affairs to conduct outreach and education concerning free services that are available to assist veterans in applying for benefits.** Punishes a violation of the Act as an unlawful practice under the Unlawful Trade Practices Act.

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

**A BILL FOR AN ACT**

1  
2 Relating to compensation for services performed in connection with a claim for a veteran's benefit;  
3 creating new provisions; amending ORS 646.608; and prescribing an effective date.

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

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

6 (a) **"Beneficiary" has the meaning given that term in ORS 408.010.**

7 (b) **"Compensation" means money, a financial benefit or an item of value.**

8 (c) **"Unreasonable fee" means a fee that a court determines to be unreasonable compen-**  
9 **sation for a service or function described in subsection (2)(a)(A) of this section after con-**  
10 **sidering:**

11 (A) **The extent and type of the service or function;**

12 (B) **The complexity of the case that the service or function addresses;**

13 (C) **The skill and competence required to provide the service or function;**

14 (D) **The amount of time the person spent in performing the service or function;**

15 (E) **The results the person achieved in performing the service or function, such as**  
16 **whether the veteran or beneficiary recovered any veteran's benefit;**

17 (F) **The level of administrative or other review that occurred in the case, and the point**  
18 **at which the person began providing the service or function;**

19 (G) **Rates or fees that other persons charge for similar services or functions;**

20 (H) **Whether, and to what extent, the fee or the amount of the fee was contingent upon**  
21 **the results the person achieved; and**

22 (I) **Whether the veteran or beneficiary discharged the person before the case concluded**

**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 and, if so, why.

2 (d) "Veteran" means an individual who falls within either of the following classes:

3 (A) A veteran as defined in 5 U.S.C. 2108, as in effect on the effective date of this 2025  
4 Act; or

5 (B) A veteran as defined in ORS 407.087.

6 (e) "Veteran's benefit" means a program, service, commodity, function, status or other  
7 benefit that is available solely to veterans, eligibility for which:

8 (A) The United States Department of Veterans Affairs, the United States Department  
9 of Defense or another federal agency determines in accordance with applicable federal laws  
10 and regulations; or

11 (B) The Department of Veterans' Affairs determines under ORS chapters 406, 407 and  
12 408.

13 (2)(a) A person may not:

14 (A) Receive compensation, except in strict accordance with this section or applicable  
15 federal law, for:

16 (i) Preparing, presenting or prosecuting an application for a veteran's benefit on behalf  
17 of a veteran or beneficiary;

18 (ii) Advising, consulting with, assisting or representing a veteran or beneficiary in ob-  
19 taining or making an application for a veteran's benefit or in appealing a notice of initial  
20 decision on a claim for a veteran's benefit; or

21 (iii) Referring a veteran or beneficiary to another person that performs a service or  
22 function described in sub-subparagraph (i) or (ii) of this subparagraph.

23 (B) Guarantee, either directly or by implication, to another person that a veteran or  
24 beneficiary is certain to receive a specific veteran's benefit or a specific level, percentage or  
25 amount of a veteran's benefit; or

26 (C) Receive an excessive or unreasonable fee for a service or function described in this  
27 paragraph.

28 (b) The prohibitions described in paragraph (a) of this subsection apply to applications  
29 or claims for a veteran's benefit that is available under ORS chapter 407 or 408 to the extent  
30 that an applicant or a claimant is eligible to receive a service or function described in para-  
31 graph (a)(A)(i) or (ii) of this subsection at no charge from the Department of Veterans' Af-  
32 fairs or from a person that performs the service or function under a delegation of authority  
33 from the department. A person may not charge an excessive or unreasonable fee in return  
34 for performing a service or function described in paragraph (a)(A)(i) or (ii) of this subsection  
35 even if the person may receive compensation for performing the service or function because  
36 the service or function is not otherwise available to the applicant or claimant at no charge.

37 (3) A person that in return for compensation performs a service or function described in  
38 subsection (2)(a)(A) of this section shall specify the terms and conditions of the transaction  
39 in a written agreement signed by all parties to the agreement. The agreement must adhere  
40 to the criteria set forth in 38 C.F.R. 14.636(g).

41 (4) In order to encourage veterans to seek free advice and assistance concerning a claim  
42 for a veteran's benefit, the Department of Veterans' Affairs shall conduct outreach, provide  
43 education and disseminate information that, at a minimum:

44 (a) Identifies tribal veterans' service officers, as described in 38 C.F.R. 14.629, as in effect  
45 on the effective date of this 2025 Act, and county veterans' service officers;

1       **(b) Locates the offices or facilities throughout this state in which the tribal veterans'**  
2 **service officers and county veterans' service officers provide services; and**

3       **(c) Describes the services the tribal veterans' services officers and county veterans'**  
4 **service officers provide.**

5       **(5) A violation of this section is an unlawful practice under ORS 646.608.**

6       **SECTION 2.** ORS 646.608, as amended by section 6, chapter 410, Oregon Laws 2023, is amended  
7 to read:

8       646.608. (1) A person engages in an unlawful practice if in the course of the person's business,  
9 vocation or occupation the person does any of the following:

10       (a) Passes off real estate, goods or services as the real estate, goods or services of another.

11       (b) Causes likelihood of confusion or of misunderstanding as to the source, sponsorship, ap-  
12 proval, or certification of real estate, goods or services.

13       (c) Causes likelihood of confusion or of misunderstanding as to affiliation, connection, or asso-  
14 ciation with, or certification by, another.

15       (d) Uses deceptive representations or designations of geographic origin in connection with real  
16 estate, goods or services.

17       (e) Represents that real estate, goods or services have sponsorship, approval, characteristics,  
18 ingredients, uses, benefits, quantities or qualities that the real estate, goods or services do not have  
19 or that a person has a sponsorship, approval, status, qualification, affiliation, or connection that the  
20 person does not have.

21       (f) Represents that real estate or goods are original or new if the real estate or goods are de-  
22 teriorated, altered, reconditioned, reclaimed, used or secondhand.

23       (g) Represents that real estate, goods or services are of a particular standard, quality, or grade,  
24 or that real estate or goods are of a particular style or model, if the real estate, goods or services  
25 are of another.

26       (h) Disparages the real estate, goods, services, property or business of a customer or another  
27 by false or misleading representations of fact.

28       (i) Advertises real estate, goods or services with intent not to provide the real estate, goods or  
29 services as advertised, or with intent not to supply reasonably expectable public demand, unless the  
30 advertisement discloses a limitation of quantity.

31       (j) Makes false or misleading representations of fact concerning the reasons for, existence of,  
32 or amounts of price reductions.

33       (k) Makes false or misleading representations concerning credit availability or the nature of the  
34 transaction or obligation incurred.

35       (L) Makes false or misleading representations relating to commissions or other compensation to  
36 be paid in exchange for permitting real estate, goods or services to be used for model or demon-  
37 stration purposes or in exchange for submitting names of potential customers.

38       (m) Performs service on or dismantles any goods or real estate if the owner or apparent owner  
39 of the goods or real estate does not authorize the service or dismantling.

40       (n) Solicits potential customers by telephone or door to door as a seller unless the person pro-  
41 vides the information required under ORS 646.611.

42       (o) In a sale, rental or other disposition of real estate, goods or services, gives or offers to give  
43 a rebate or discount or otherwise pays or offers to pay value to the customer in consideration of  
44 the customer giving to the person the names of prospective purchasers, lessees, or borrowers, or  
45 otherwise aiding the person in making a sale, lease, or loan to another person, if earning the rebate,

1 discount or other value is contingent upon an event occurring after the time the customer enters  
2 into the transaction.

3 (p) Makes any false or misleading statement about a prize, contest or promotion used to publi-  
4 cize a product, business or service.

5 (q) Promises to deliver real estate, goods or services within a certain period of time with intent  
6 not to deliver the real estate, goods or services as promised.

7 (r) Organizes or induces or attempts to induce membership in a pyramid club.

8 (s) Makes false or misleading representations of fact concerning the offering price of, or the  
9 person's cost for real estate, goods or services.

10 (t) Concurrent with tender or delivery of any real estate, goods or services, fails to disclose any  
11 known material defect or material nonconformity.

12 (u) Engages in any other unfair or deceptive conduct in trade or commerce.

13 (v) Violates any of the provisions relating to auction sales, consignment sales, auctioneers,  
14 consignees or auction marts under ORS 698.640, whether in a commercial or noncommercial situ-  
15 ation.

16 (w) Manufactures mercury fever thermometers.

17 (x) Sells or supplies mercury fever thermometers unless the thermometer is required by federal  
18 law, or is:

19 (A) Prescribed by a person licensed under ORS chapter 677; and

20 (B) Supplied with instructions on the careful handling of the thermometer to avoid breakage and  
21 on the proper cleanup of mercury should breakage occur.

22 (y) Sells a thermostat that contains mercury, unless the thermostat is labeled in a manner to  
23 inform the purchaser that mercury is present in the thermostat and that the thermostat may not be  
24 disposed of until the mercury is removed, reused, recycled or otherwise managed to ensure that the  
25 mercury does not become part of the solid waste stream or wastewater. For purposes of this para-  
26 graph, "thermostat" means a device commonly used to sense and, through electrical communication  
27 with heating, cooling or ventilation equipment, control room temperature.

28 (z) Sells or offers for sale a motor vehicle manufactured after January 1, 2006, that contains  
29 mercury light switches.

30 (aa) Violates the provisions of ORS 803.375, 803.385 or 815.410 to 815.430.

31 (bb) Violates ORS 646A.070 (1).

32 (cc) Violates any requirement of ORS 646A.030 to 646A.040.

33 (dd) Violates the provisions of ORS 128.801 to 128.898.

34 (ee) Violates ORS 646.883 or 646.885.

35 (ff) Violates ORS 646.569 or 646A.374.

36 (gg) Violates the provisions of ORS 646A.142.

37 (hh) Violates ORS 646A.360.

38 (ii) Violates ORS 646.553 or 646.557 or any rule adopted pursuant thereto.

39 (jj) Violates ORS 646.563.

40 (kk) Violates ORS 759.680 or any rule adopted pursuant thereto.

41 (LL) Violates the provisions of ORS 759.705, 759.710 and 759.720 or any rule adopted pursuant  
42 thereto.

43 (mm) Violates ORS 646A.210 or 646A.214.

44 (nn) Violates any provision of ORS 646A.124 to 646A.134.

45 (oo) Violates ORS 646A.095.

- 1 (pp) Violates ORS 822.046.
- 2 (qq) Violates ORS 128.001.
- 3 (rr) Violates ORS 646A.800 (2) to (4).
- 4 (ss) Violates ORS 646A.090 (2) to (5).
- 5 (tt) Violates ORS 87.686.
- 6 (uu) Violates ORS 646A.803.
- 7 (vv) Violates ORS 646A.362.
- 8 (ww) Violates ORS 646A.052 or any rule adopted under ORS 646A.052 or 646A.054.
- 9 (xx) Violates ORS 180.440 (1) or 180.486 (1).
- 10 (yy) Commits the offense of acting as a vehicle dealer without a certificate under ORS 822.005.
- 11 (zz) Violates ORS 87.007 (2) or (3).
- 12 (aaa) Violates ORS 92.405 (1), (2) or (3).
- 13 (bbb) Engages in an unlawful practice under ORS 646.648.
- 14 (ccc) Violates ORS 646A.365.
- 15 (ddd) Violates ORS 98.853, 98.854, 98.856 or 98.858.
- 16 (eee) Sells a gift card in violation of ORS 646A.276.
- 17 (fff) Violates ORS 646A.102, 646A.106 or 646A.108.
- 18 (ggg) Violates ORS 646A.430 to 646A.450.
- 19 (hhh) Violates a provision of ORS 744.318 to 744.384.
- 20 (iii) Violates a provision of ORS 646A.702 to 646A.720.
- 21 (jjj) Violates ORS 646A.530 30 or more days after a recall notice, warning or declaration de-  
22 scribed in ORS 646A.530 is issued for the children's product, as defined in ORS 646A.525, that is the  
23 subject of the violation.
- 24 (kkk) Violates a provision of ORS 697.612, 697.642, 697.652, 697.662, 697.682, 697.692 or 697.707.
- 25 (LLL) Violates the consumer protection provisions of the Servicemembers Civil Relief Act, 50  
26 U.S.C. 3901 et seq., as in effect on January 1, 2010.
- 27 (mmm) Violates a provision of ORS 646A.480 to 646A.495.
- 28 (nnn) Violates ORS 646A.082.
- 29 (ooo) Violates ORS 646.647.
- 30 (ppp) Violates ORS 646A.115.
- 31 (qqq) Violates a provision of ORS 646A.405.
- 32 (rrr) Violates ORS 646A.092.
- 33 (sss) Violates a provision of ORS 646.644.
- 34 (ttt) Violates a provision of ORS 646A.295.
- 35 (uuu) Engages in the business of, or acts in the capacity of, an immigration consultant, as de-  
36 fined in ORS 9.280, in this state and for compensation, unless federal law authorizes the person to  
37 do so or unless the person is an active member of the Oregon State Bar.
- 38 (vvv) Violates ORS 702.012, 702.029 or 702.054.
- 39 (www) Violates ORS 646A.806.
- 40 (xxx) Violates ORS 646A.810 (2).
- 41 (yyy) Violates ORS 443.376.
- 42 (zzz) Violates a provision of ORS 646A.770 to 646A.787.
- 43 (aaaa) Violates ORS 815.077.
- 44 **(bbbb) Violates section 1 of this 2025 Act.**
- 45 (2) A representation under subsection (1) of this section or ORS 646.607 may be any manifesta-

1 tion of any assertion by words or conduct, including, but not limited to, a failure to disclose a fact.

2 (3) In order to prevail in an action or suit under ORS 336.184 and 646.605 to 646.652, a prose-  
3 cuting attorney need not prove competition between the parties or actual confusion or misunder-  
4 standing.

5 (4) An action or suit may not be brought under subsection (1)(u) of this section unless the At-  
6 torney General has first established a rule in accordance with the provisions of ORS chapter 183  
7 declaring the conduct to be unfair or deceptive in trade or commerce.

8 (5) Notwithstanding any other provision of ORS 336.184 and 646.605 to 646.652, if an action or  
9 suit is brought under subsection (1)(xx) of this section by a person other than a prosecuting attor-  
10 ney, relief is limited to an injunction, and the prevailing party may be awarded reasonable attorney  
11 fees.

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

14