

HB 2020-4
(LC 1485)
4/7/25 (TSB/ps)

Requested by Representative ELMER

**PROPOSED AMENDMENTS TO
HOUSE BILL 2020**

1 On page 2 of the printed bill, delete lines 12 through 45 and delete page
2 3 and insert:

3 **“SECTION 2.** ORS 279.853 is amended to read:

4 “279.853. (1)(a) If a public agency or a qualified nonprofit agency for in-
5 dividuals with disabilities terminates or declines to renew a contract pro-
6 cured under ORS 279.850 for janitorial services, grounds maintenance
7 services or security services and the public agency enters into a new con-
8 tract for the same services, the public agency shall:

9 **“(A) Provide in the new contract that the successor service provider**
10 **must reimburse individuals with disabilities who were employed under**
11 **the contract that was terminated or not renewed for amounts the in-**
12 **dividuals with disabilities paid for continuation coverage that meets**
13 **the requirements of 29 U.S.C. 1161 to 1169, as in effect on the effective**
14 **date of this 2025 Act, or ORS 743B.341, 743B.342 and 743B.343 to**
15 **743B.347, as appropriate, during any period in which the new employer**
16 **does not provide the health benefits described in subparagraph (B) of**
17 **this paragraph; and**

18 **“(B) Provide in the new contract that the successor service provider,**
19 **during a period that ends 90 days after the date on which the public agency**
20 **enters into the new contract, offer employment to the individuals with disa-**
21 **bilities who worked 28 hours or more per week under the **contract that was****

1 terminated or [*nonrenewed contract*] **not renewed** at the time the contract
2 ended, at wages [*and with health benefits*] as favorable as, or more favorable
3 than, the wages [*and health benefits*] the individuals with disabilities re-
4 ceived under the [*terminated or nonrenewed*] contract **that was terminated**
5 **or not renewed. The new contract must also provide health benefits**
6 **that are as favorable as, or more favorable than, the health benefits**
7 **the individuals with disabilities received under the contract that was**
8 **terminated or not renewed.**

9 “(b) The new contract described in paragraph (a) of this subsection
10 must provide the health benefits described in paragraph (a)(B) of this
11 subsection at the first opportunity in which employee enrollment in
12 the new employer’s benefit plan becomes available but not later than
13 one year after the effective date of the new contract.

14 “[*(b)*] (c) If the successor service provider under paragraph (a) of this
15 subsection is not a qualified nonprofit agency for individuals with disabili-
16 ties, the public agency shall provide in the new contract that the successor
17 service provider, during a period that ends 90 days after the date on which
18 the public agency enters into the new contract, offer employment to all in-
19 dividuals who worked 28 hours or more per week under the [*terminated or*
20 *nonrenewed*] contract **that was terminated or not renewed** at the time the
21 contract ended, except managers and supervisors, at wages and with health
22 benefits as favorable as, or more favorable than, the wages and health ben-
23 efits the individuals received under the [*terminated or nonrenewed*] contract
24 **that was terminated or not renewed.**

25 “(d) At least once during each calendar year, the Oregon Depart-
26 ment of Administrative Services shall confirm that each public agency
27 or each qualified nonprofit agency for individuals with disabilities that
28 has terminated or declined to renew a contract as provided in para-
29 graph (a) of this subsection has included the provisions required in
30 this subsection in any contract with a successor service provider. If

1 the department determines that a contract with a successor service
2 provider does not have the required provisions, the department may:

3 “(A) Require the public agency and the qualified nonprofit agency
4 for individuals with disabilities to amend the contract to include the
5 required provisions; and

6 “(B) Impose a civil penalty in an amount that does not exceed \$500
7 upon each party to the contract for each day in which the parties fail
8 to amend the contract to include the required provisions.

9 “(2) A successor service provider that provides the same services under
10 a new contract [*as*] **that were** provided under the [*terminated or*
11 *nonrenewed*] contract **that was terminated or not renewed** may require
12 an individual whom the successor service provider hires under subsection (1)
13 of this section to undergo the hiring procedures and demonstrate during a
14 probationary period the qualifications that the successor service provider
15 establishes for new hires.

16 **“SECTION 3. The amendments to ORS 279.835 and 279.853 by**
17 **sections 1 and 2 of this 2025 Act apply to contracts that a public agency**
18 **enters into, terminates or declines to renew on or after the effective**
19 **date of this 2025 Act.”.**

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