

HB 3525-B13
(LC 2769)
6/25/25 (RLM/ps)

Requested by SENATE COMMITTEE ON RULES

**PROPOSED AMENDMENTS TO
B-ENGROSSED HOUSE BILL 3525
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

1 On page 3 of the printed B-engrossed bill, after line 21, insert:

2 **“SECTION 2a.** If Senate Bill 1154 becomes law, section 2 of this 2025
3 Act is amended to read:

4 **“Sec. 2.** (1) As used in this section:

5 “(a) ‘Contaminants’ includes arsenic, coliform bacteria, lead and nitrates.

6 “(b) ‘Exempt well’ means a well used for purposes exempt under ORS
7 537.545 (1)(b) or (d).

8 “(2) If a dwelling unit has an exempt well or wells as a source of drinking
9 water and is within a ground water **quality** management area, as defined in
10 ORS 468B.150, the landlord shall collect and test samples of drinking water
11 for the unit.

12 “(3) A landlord shall ensure that each source for which drinking water
13 is collected under subsection (5)(a) of this section is tested as follows:

14 “(a) The water must be tested for arsenic no later than 30 days after in-
15 stalling the exempt well.

16 “(b) Except as provided in subsection (4) of this section, the drinking
17 water must be tested for each contaminant at least once each year.

18 “(4) Following a test that indicates that the drinking water does not
19 contain contaminants that exceed the maximum contaminant levels in
20 drinking water as most recently published by the United States Environ-

1 mental Protection Agency, the landlord is not required to test drinking water
2 for contaminants for four years, if the test is:

3 “(a) The first test conducted for the dwelling unit;

4 “(b) The first test conducted after an extension allowed under this sub-
5 section; or

6 “(c) The second successful annual test conducted over two consecutive
7 years following a failed test.

8 “(5) A landlord subject to this section:

9 “(a) Shall collect samples of water from a dwelling unit’s primary faucet
10 used for drinking and cooking water and may collect supplementary samples
11 of water from a dwelling unit’s other faucets of drinking water or from a
12 dwelling unit’s wellhead;

13 “(b) May delegate the landlord’s duty to collect samples of drinking water
14 under paragraph (a) of this subsection to a tenant if the landlord and the
15 tenant agree to the delegation in writing and the agreement is made in good
16 faith and for adequate consideration; and

17 “(c) Shall, when submitting samples of drinking water collected under this
18 section to a laboratory for testing:

19 “(A) Inform the laboratory that the testing is required pursuant to this
20 section; and

21 “(B) Request that the laboratory report the results of the test to the
22 Oregon Health Authority.

23 “(6) A laboratory conducting a test pursuant to this section:

24 “(a) Must be accredited under the environmental laboratory accreditation
25 program established under ORS 438.615;

26 “(b) Shall electronically report the results of the test to the authority in
27 a form and manner prescribed by the authority, which may include reporting
28 of the results through electronic mail using a spreadsheet; and

29 “(c) Shall send the full laboratory report to the landlord, and to the ten-
30 ant if requested by the landlord, in a form showing the absence or presence

1 of coliform bacteria and the concentration of other contaminants in milli-
2 grams per liter or parts per million.

3 “(7) Each time the landlord has drinking water tested for a contaminant
4 under this section, the landlord shall provide the results of the test to the
5 tenant within 30 days after receiving the results in a form:

6 “(a) As provided to the landlord under subsection (6)(c) of this section;
7 or

8 “(b) Showing only the tests performed and whether the dwelling unit
9 passed or failed each test and notifying the tenant that the tenant may ob-
10 tain or inspect the full laboratory report upon request. This form must be
11 substantially in the format adopted by the authority under subsection (10)(a)
12 of this section.

13 “(8) Prior to entering into a rental agreement for a dwelling unit for
14 which a landlord must collect and test drinking water under this section, the
15 landlord must provide to the tenant written notice providing:

16 “(a) That the dwelling unit has an exempt well as a source of drinking
17 water and is within a ground water **quality** management area, as defined in
18 ORS 468B.150;

19 “(b) The dates and the results of the most recent test for each contam-
20 inant, in a form described in subsection (7) of this section, or a statement
21 that the contaminant has not yet been tested for; and

22 “(c) The latest date by which the next test for each contaminant must be
23 conducted.

24 “(9) If the results of a test conducted under this section indicate that the
25 drinking water collected under this section contains any amount of coliform
26 bacteria or an amount of other contaminants that exceeds the maximum
27 contaminant levels in drinking water as most recently published by the
28 United States Environmental Protection Agency, the landlord shall, as soon
29 as practicable:

30 “(a) Provide the results of the test to the tenant as required under sub-

1 section (7) of this section;

2 “(b) Provide the tenant with the handout adopted by the authority under
3 subsection (10)(b) of this section; and

4 “(c) Thereafter retest the exempt well according to a schedule set by rule
5 by the authority, notwithstanding subsections (3) and (4) of this section.

6 “(10) The authority shall adopt rules to implement this section, including
7 rules specifying the content of:

8 “(a) A form that a landlord subject to this section must use to provide
9 information described in subsection (7)(b) of this section. The form must in-
10 clude:

11 “(A) A section that must be filled out by the landlord to indicate, in plain
12 language, whether the dwelling unit passed or failed each test; and

13 “(B) A section that may be filled out by the landlord to indicate the ab-
14 sence or presence in the drinking water of coliform bacteria and the con-
15 centration of other contaminants in milligrams per liter or parts per million.

16 “(b) A handout providing information on testing drinking water for con-
17 taminants and the impact that drinking water that contains contaminants
18 can have on a person’s health.

19 “(11) This section does not apply to a dwelling unit that is part of a
20 premises subject to regulation under ORS 448.119 to 448.285, 454.235 and
21 454.255, as described in ORS 448.119.

22 “(12) Information received by the authority under this section may only
23 be used as provided in this section and for the benefit of the landlord, tenant
24 or applicant of the dwelling unit. Any records collected or created by the
25 authority under this section must note that the data has not been controlled
26 for quality and may not be used for determining location-specific ground
27 water quality.”.