



Oregon

Tina Kotek, Governor

Landscape Contractors Board

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SB 865: Three Requested Amendments

The Landscape Contractors Board (LCB) is a semi-independent state agency that protects consumers by regulating landscape construction work. Oregon law requires all landscape contracting businesses operating in Oregon to be licensed with the LCB.

Problems to be Addressed

1. **Workers' Compensation Coverage:** Under current law, the LCB cannot require landscape contracting businesses to have workers' compensation coverage when performing work under exceptions in other professional licensing statutes, such as irrigation backflow installation, low voltage lighting, wiring for irrigation and water features, and removal or pruning of trees. This leaves consumers vulnerable if a worker is injured on the job on their property.
2. **Ornamental Water Feature Exception:** The current law leaves out an exception for Construction Contractors Board (CCB) licensees to install or repair ornamental water features, which was an oversight.
3. **Right of Rescission:** Recent legislation gave consumers the right to cancel landscape construction contracts within three business days, but this protection was limited to property owners/lessees, excluding renters.

Proposed Solutions

Amend ORS 671.525(5), ORS 671.540(1), and ORS 671.627(1) specifically:

1. **Workers' Compensation ORS 671.525(5):** Update the statute to require landscape contracting businesses to maintain workers' compensation coverage even when performing work under exemptions in other statutes.
2. **Ornamental Water Feature Exception, ORS 671.540 Application of ORS 671.510 to 671.760:** Explicitly include an exception for CCB licensees to install or repair ornamental water features.
3. **Right of Rescission, ORS 671.627 (1):** Extend the three-business day right of rescission for landscape construction contracts to all consumers, including renters.

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