

**To:** House Committee on Judiciary  
**From:** Martha Sonato, Oregon Law Center  
**Re:** Strong support for HB 3194  
**Date:** 02/27/2025

Chair Kropf, Vice-Chairs Wallen and Chotzen, and members of the committee,

On behalf of the Oregon Law Center, thank you for the opportunity to provide testimony in strong support of HB 3194. This bill seeks to amend the longstanding Camp Operator Registration Act (CORA) to better protect agricultural workers living in illegal labor camp operations.

Access to justice is a cornerstone of our organization's mission. Our goal is to achieve justice for low-income communities in Oregon by providing a full range of high-quality civil legal services.

This proposal takes a targeted approach to addressing dire conditions in illegal labor camps, particularly in the unregulated cannabis industry. It is carefully structured to apply only to unregistered camp operators, not legitimate, registered operations that comply with legal standards. Through the years, we have consistently heard from the agricultural industry that the real issue stems from unregistered labor camps. This bill directly addresses that concern, ensuring enforcement is focused where it's needed most.

### **Background on CORA**

Before explaining the bill, it's important to understand the Camp Operator Registration Act (CORA). CORA (ORS 658.750) was enacted in 1989 to ensure farmworker camps in Oregon are registered and meet basic health and safety standards. Camp operators must register their camps annually with the Department of Consumer Business Services, which then shares this information with BOLI and maintains a public list of registered camps.

Before CORA, many farmworker labor camp operations were unregistered and unsafe. The law was designed to incentivize registration, making it easier to track and regulate camps. One of the main benefits of registration is legal protection—only unregistered camps (including unlicensed) can be sued under CORA. Since CORA's passage, the number of unregistered camps has significantly decreased, making it a crucial tool for compliance. However, in the past few years, we have seen an increase in unregistered labor camp operations in the cannabis industry.

Proponents began to look at the Camp Operator Registration Act (CORA) from work in the Cannabis Worker Resilience Partnership (CWRP), which seeks to hold unregistered camp operators accountable for the severe housing conditions endured by workers. The CWRP is a coalition of seven community organizations, mental health providers, and legal advocates offering support to workers who are lured into illegal cannabis operations and subjected to egregious abuse.

While CORA has successfully reduced the number of unregistered camps over the years, gaps in enforcement have weakened its effectiveness. Despite the law's intent, many unregistered operations continue to exist, particularly in the cannabis industry, where enforcement has been inconsistent. To understand why HB 3194 is necessary, it's important to examine the enforcement challenges that have allowed these violations to persist.

### **Problems with Enforcement**

Despite its intent, CORA enforcement has weakened over time. In at least the past six years, BOLI has not assessed penalties under CORA for at least six years (BOLI).

Through this effort, we found that CORA, as it currently stands, is nearly impossible to use in holding unregistered and unlicensed camp operators accountable. A significant loophole allows *negligent* landowners to lease their property to bad actors while turning a blind eye to worker exploitation. The abuses in these camps range from labor and human trafficking to unsafe living conditions, unpaid wages, and harassment.

While the primary impetus for this bill is rooted in what we are witnessing in the illegal cannabis industry, the harm caused by unregistered and unlicensed camp operations extends beyond that sector. Workers should have the tools to seek appropriate recourse for those harms, regardless of the industry they work in.

There are also practical reasons to avoid limiting the bill to cannabis operations. Farmworkers are often recruited into these jobs with reassurances that the work is totally legal even when it isn't. Cannabis regulation is complex. Farmworkers often aren't in the position to evaluate whether a crop is hemp or marijuana or whether their employer is complying with licensing requirements. And they may fear putting themselves at risk by asserting that they worked in an illegal industry, even if they were coerced into it.

Furthermore, as farmland leasing becomes more common, it is increasingly critical to ensure that landowners exercise due diligence by leasing their property to registered, licensed, and endorsed camp operators. Landowners are uniquely positioned to prevent worker abuse from the outset.

### **Key Provisions of HB 3194**

**Landowner Liability:** Section 2 establishes that a landowner is jointly and severally liable with the farmworker camp operator unless the landowner can prove they leased their land to a registered and licensed camp operator. Specifically, the operator must be:

- Registered with the Department of Consumer and Business Services (DCBS).
- If a Farm Labor Contractor (FLC), needs to be endorsed by the Bureau of Labor and Industries (BOLI), requires an approved bond.



We've been asked, how would landowners verify compliance? This can be done in multiple ways, for example, by requiring proof of registration and licensing in lease agreements and checking publicly available lists from DCBS and BOLI. Landowners should be familiar with checking license, bond and workers' compensation for any licensed construction activity used to perform activities on their site.

If a landowner does their due diligence in leasing their land to a registered camp operation, they are exempt from liability. However, if they fail to do so, they will be liable under CORA **and only for CORA violations.**

**Legal Recourse for Workers:** Section 4 removes a significant barrier for workers seeking justice. Under CORA, a worker must seek an injunction and prove ongoing harm—a nearly impossible standard for seasonal farmworkers or those lured into abusive cannabis operations. This bill removes that requirement, allowing workers to bring claims for damages against individuals or entities that violate:

- **ORS 658.715(1):** Defines who can legally operate a farmworker camp as farm labor contractors appropriately licensed and indorsed by BOLI to operate camps as well as landowners and their families, who don't have to get the BOLI license.
- **ORS 658.755(2)(a):** Prohibits unregistered camp operations

A worker can only bring a claim if these violations occur, ensuring the focus remains on unregistered, unlicensed operations. In these cases, the worker can ask for damages for those violations as well as various forms of worker exploitation, including:

- Providing false or misleading registration information,
- Misrepresenting housing or employment conditions,
- Preventing workers from leaving,
- Using threats or intimidation to withhold wages.

**Alignment on Penalties:** Under current law, workers can recover only \$500 total under CORA. Meanwhile, BOLI, though authorized to bring suits under CORA, has not done so in six years. Their penalty power is currently set at \$2,000 per violation. This bill aligns worker remedies with BOLI's existing enforcement authority, ensuring stronger deterrents against illegal operations.

Workers also face barriers in filing lawsuits against unregistered operators. Many illegal camps shut down quickly, making accountability difficult. Oregon OSHA data from FY15 to the present shows only 23 violations for failure to register Agricultural Labor Housing, with most recent violations occurring primarily but not exclusively in the cannabis sector (OR OSHA).

**What CORA Does and Doesn't Do:**

*What is the overlap with CORA and the Agricultural Labor Housing rules?*

CORA ensures registration but does not establish health and safety standards. Those regulations fall under Oregon OSHA's Agricultural Labor Housing standards (OAR 437-004-1120). **CORA simply mandates that registered operators comply with all applicable safety and building codes (ORS 658.755(1)(c)).** Both sets of regulations are designed to work in tandem to ensure that farmworker housing in Oregon is both registered and maintained according to defined safety and health criteria

Additionally, certain structures are exempt from CORA registration per [ORS 658.705\(7\)\(a\)](#), and in OAR 839-014-0060:

- **Single Dwelling Units:** Occupied solely by members of the same family.
- **Small Occupancy Units:** Housing five or fewer unrelated individuals.

These units are currently not required to be registered, making them exempt from CORA and HB 3194. In contrast, HB 3194 targets camp operators who are required to register but fail to do so due to negligence.

### **Conclusion**

Although HB 3194 was informed by the crisis happening at illegal cannabis camp operations our broader concern is ensuring all farmworker housing is safe and regulated. This bill applies only to landowners allowing unregistered housing on their property, whether for cannabis or other crops. However, the most severe abuses occur in unregistered cannabis operations. In the proponent's view, this bill is narrowly tailored. This approach levels the playing field so registered camps are not undercut by unsafe, unregistered alternatives.

We urge the committee to pass HB 3194 to protect Oregon's farmworkers and hold unregistered camp operators and negligent landowners accountable.

Sincerely,  
Martha Sonato  
Legislative Advocate  
Oregon Law Center