

CCB 2007 Legislative Agenda

The Oregon Construction Contractors Board has submitted 15 pre-session filed bills to improve contractor regulation. Most of the bills are designed to:

- **Improve protections for Oregon consumers**
- **Strengthen and improve CCB enforcement tools**
- **Provide increased accountability in the construction industry**

Questions regarding these bills may be directed to Gina Fox, CCB Public Information Officer. Gina may be reached at telephone number (503) 378-4621 ext. 4016 or by email at: gina.m.fox@state.or.us.

Bill No.	Description	Bill Summary
Consumer Protection:		
SB 90	Increases Financial Protections for Consumers—Surety Bond	Increases bond amount required of persons applying for issuance or renewal of contractor license.
SB 92	Minimum Contract Standards and a Model Contract for Residential Construction Contracts	Requires that written contract for residential construction projects in excess of \$2,000 meet minimum standards established by Construction Contractors Board by rule. Makes violation subject to civil penalty, not to exceed \$5,000. Requires board to establish minimum contract standards and recommended model contracts for contractors performing residential construction projects in excess of \$2,000.
SB 97	Require Contractors to Maintain a Signed Copy of the “Consumer Notice”	Requires construction contractor to retain written evidence that contractor timely delivered consumer notification form to owner of residential structure. Provides that failure to retain written evidence of notification form delivery creates a rebuttable presumption that form was not timely delivered. Makes violation subject to civil penalty, not to exceed \$5,000.
HB 2110	Require Contractors to Maintain a Signed Copy of the “Consumer Notice” (Plus)	Requires construction contractor to retain written evidence that contractor timely delivered consumer notification form to owner of residential structure. Provides that failure to retain written evidence of notification form delivery creates rebuttable presumption notification form was not timely delivered. Makes violation subject to civil penalty, not to exceed \$5,000. Extends time for property owner to file claim if contractor fails to deliver consumer notification form by certain dates. Creates evidentiary presumptions concerning notification form delivery.
HB 2107	Unpaid Adverse Court Judgment or Arbitration Award	Requires construction contractor to notify Construction Contractors Board of certain judgments or arbitration awards against contractor. Creates exceptions.

Bill No.	Description	Bill Summary
HB 2108	Require Contractors to Notify the CCB of Bankruptcy Filed by Contractor, Owners and Officers	Requires construction contractors and owners or officers of construction contractors to notify Construction Contractors Board within 30 days after filing petition for relief with bankruptcy court. Requires construction contractor to notify board within 30 days after construction contractor learns owner or officer has filed petition for relief with bankruptcy court, unless owner or officer provides contractor with proof that board has been notified. Makes violation subject to civil penalty, not to exceed \$5,000. Applies to bankruptcy petitions filed on or after January 1, 2008.
HB 2113	Eliminate Pay Twice Lien Problem for Consumers	Allows property owner to obtain disallowance of supplier liens for materials, equipment, labor or services if owner has already paid original contractor for materials, equipment, labor or services that are a basis of lien.

Increased Contractor Accountability:		
SB 91	Require All Business Entities to Notify CCB When Ownership Changes	Requires construction contractor to immediately notify Construction Contractors Board of changes in identity, name or address of partners, joint venturers, owners, officers, managers, members, trustees or other persons controlling contractor and of responsible managing individuals for contractor. Requires that construction contractor license application include name and address of trustees if applicant is trust.
SB 93	Minimum Time Limit for Revoked License	Disqualifies construction contractors, owners and officers from obtaining new contractor license for one year following revocation of license. Specifies that mandatory license revocation for habitual violator of workers' compensation laws is permanent revocation.
HB 2111	Strengthen CCB Responsible Managing Individual (RMI) Requirements	Requires that construction contracting business owner claiming status as responsible managing individual exercise management or supervisory authority over construction activities of business. Authorizes Construction Contractors Board to adopt rules defining management or supervisory authority over construction activities of business.
HB 2112	Require Contractors to Notify CCB in the Event They Lose Their Insurance Coverage	<p>Requires construction contractor whose mandatory insurance or alternative form of security ceases to be in effect during term of license to provide board with evidence that suitable replacement insurance or alternative form of security is in effect.</p> <p>Requires that insurer or designee canceling construction contractor insurance give Construction Contractors Board at least 30 days' notice before effective date of cancellation. Extends coverage of policy that is canceled without adequate notice until 30 days after board receives notice.</p>
HB 2120	Require Contractors to Maintain a Signed Copy of the "Information Notice to Owners About Construction Liens"	<p>Requires original contractor for work on residential property to maintain copy of "Information Notice to Owner" signed by recipient of notice. Requires contractor to provide copy of signed "Information Notice to Owner" to Construction Contractors Board upon request. Makes violator subject to license suspension and to civil penalty not exceeding \$5,000. Creates presumption of nondelivery if contractor fails to provide copy of notice in response to subpoena, court order or board request.</p> <p>Prohibits original contractor from asserting lien against residential property if contractor fails to give required "Information Notice to Owner."</p>

Bill No.	Description	Bill Summary
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Miscellaneous—Housekeeping Measures:

SB 94	Change the Word ‘Claim’ in Statute to the Word ‘Complaint’	Revises terminology pertaining to Construction Contractors Board dispute resolution.
SB 95	Seek Clarification that the Agency May Charge a Fee for Oregon Certified Home Inspector Initial Certification	Establishes fee for issuance of initial home inspector certificate. Changes certificate term to two years.
SB 96	Increase \$50 Cap on Oregon Home Inspector Testing Fee	Eliminates cap on competency testing fees charged to applicants for home inspector certification.
HB 2109	Reorganization of ORS 701.055	Divides content of existing construction contractor statute into smaller statutes. Adjusts statutory references to existing statute. Makes regulatory limitation for other political subdivisions same as limitation for cities and counties.