

A-Engrossed
Senate Bill 574

Ordered by the Senate March 6
Including Senate Amendments dated March 6

Sponsored by Senators SHIELDS, OLSEN; Representatives BOONE, OLSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires person providing restoration work on residential or small commercial structure following man-made or natural disaster to have appropriate license endorsement issued by Construction Contractors Board.

A BILL FOR AN ACT

1
2 Relating to restoration work on structures following a disaster; creating new provisions; and
3 amending ORS 701.005, 701.021 and 701.081.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS chapter 701.**

6 **SECTION 2. (1) As used in this section:**

7 (a) **"Board-up services" means covering over the openings of a damaged structure to se-**
8 **cure against weather or unauthorized or unsafe entry.**

9 (b) **"Man-made or natural disaster" means a fire, flood, earthquake, crime or other sud-**
10 **den event that causes a structure or the contents of a structure to suffer damage as de-**
11 **scribed in rules adopted by the Construction Contractors Board.**

12 (c) **"Restoration work" means the performance, on a residential or small commercial**
13 **structure, of:**

14 (A) **Nonroutine cleaning, water removal, personal property inventory or other services**
15 **undertaken because of damage to the structure, or to the contents of the structure, that**
16 **was caused by a man-made or natural disaster;**

17 (B) **Debris removal that does not require demolition work on the structure; and**

18 (C) **Board-up services.**

19 (d) **"Restoration work" does not mean:**

20 (A) **The repair or replacement of physical components of a structure;**

21 (B) **Demolition of all or part of a structure; or**

22 (C) **Except as provided in paragraph (c)(C) of this subsection, any work on a residential**
23 **or small commercial structure that requires a license endorsement listed in subsection**
24 **(3)(b)(A) to (C) or (E) to (H) of this section.**

25 (2)(a) **The board may issue a licensee an endorsement as a residential restoration con-**
26 **tractor. A license endorsement as a residential restoration contractor authorizes the**
27 **licensee to perform restoration work, but does not authorize the performance of other con-**
28 **tractor activities.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **(b) Notwithstanding ORS 701.122, the board may not require a residential restoration**
2 **contractor to take a test measuring the knowledge of the contractor regarding business**
3 **practices and laws affecting construction contractors.**

4 **(c) ORS 701.082 does not apply to residential restoration contractors, but the board may**
5 **establish continuing education requirements for residential restoration contractors by rule.**

6 **(3) For purposes of ORS 701.021 (1), the appropriate license endorsements to arrange for,**
7 **undertake, offer to undertake or submit a bid to do restoration work for compensation, or**
8 **with the expectation to be compensated, are:**

9 **(a) The following if the work is on a residential structure:**

10 **(A) Residential general contractor.**

11 **(B) Residential specialty contractor.**

12 **(C) Residential limited contractor.**

13 **(D) Residential restoration contractor.**

14 **(b) The following if the restoration work is on or in connection with a small commercial**
15 **structure:**

16 **(A) Residential general contractor.**

17 **(B) Residential specialty contractor.**

18 **(C) Residential limited contractor.**

19 **(D) Residential restoration contractor.**

20 **(E) Commercial general contractor level 1.**

21 **(F) Commercial specialty contractor level 1.**

22 **(G) Commercial general contractor level 2.**

23 **(H) Commercial specialty contractor level 2.**

24 **(4) The board may adopt rules to regulate the arranging, undertaking, offering to**
25 **undertake and submission of bids for restoration work by licensees of the board, including**
26 **but not limited to rules establishing minimum standards of practice and professional conduct**
27 **for the offering or performance of restoration work.**

28 **SECTION 3. ORS 701.005 is amended to read:**

29 701.005. As used in this chapter:

30 (1) "Board" means the Construction Contractors Board.

31 (2) "Commercial contractor" means a licensed contractor that holds an endorsement as a:

32 (a) Commercial general contractor level 1;

33 (b) Commercial specialty contractor level 1;

34 (c) Commercial general contractor level 2;

35 (d) Commercial specialty contractor level 2; or

36 (e) Commercial developer.

37 (3) "Commercial developer" means a developer of property that is zoned for or intended for use
38 compatible with a small commercial or large commercial structure.

39 (4) "Construction debt" means an amount owed:

40 (a) Under an order or arbitration award issued by the board that has become final by operation
41 of law;

42 (b) Under a judgment, arbitration award or civil penalty that has become final by operation of
43 law arising from construction activities within the United States;

44 (c) Under a judgment or civil penalty that has become final by operation of law arising from a
45 failure to comply with ORS 656.017; or

1 (d) To employees of a construction contracting business for unpaid wages.

2 (5) "Contractor" means any of the following:

3 (a) A person that, for compensation or with the intent to sell, arranges or undertakes or offers
4 to undertake or submits a bid to construct, alter, repair, add to, subtract from, improve, inspect,
5 move, wreck or demolish, for another, a building, highway, road, railroad, excavation or other
6 structure, project, development or improvement attached to real estate, or to do any part thereof.

7 (b) A person that purchases or owns property and constructs or for compensation arranges for
8 the construction of one or more residential structures or small commercial structures with the in-
9 tent of selling the structures.

10 (c) A school district, as defined in ORS 332.002, that permits students to construct a residential
11 structure or small commercial structure as an educational experience to learn building techniques
12 and sells the completed structure.

13 (d) A community college district, as defined in ORS 341.005, that permits students to construct
14 a residential structure or small commercial structure as an educational experience to learn building
15 techniques and sells the completed structure.

16 (e) A person except a landscape contracting business, nurseryman, gardener or person engaged
17 in the commercial harvest of forest products, that is engaged as an independent contractor to re-
18 move trees, prune trees, remove tree limbs or stumps or to engage in tree or limb guying.

19 (f) A business that supplies the services of a home inspector certified under ORS 701.350 or a
20 cross-connection inspector and backflow assembly tester certified under ORS 448.279.

21 (g) A person that for compensation arranges, undertakes, offers to undertake or submits a bid
22 to clean or service chimneys.

23 **(h) A person that arranges for, undertakes, offers to undertake or submits a bid for the**
24 **performance of restoration work as defined in section 2 of this 2015 Act.**

25 (6) "Developer" means a contractor that owns property or an interest in property and engages
26 in the business of arranging for construction work or performing other activities associated with the
27 improvement of real property, with the intent to sell the property.

28 (7)(a) "General contractor" means a contractor whose business operations require the use of
29 more than two unrelated building trades or crafts that the contractor supervises or performs in
30 whole or part, whenever the sum of all contracts on any single property, including materials and
31 labor, exceeds an amount established by rule by the board.

32 (b) "General contractor" does not mean a specialty contractor or a residential limited contrac-
33 tor.

34 (8)(a) "Home improvement" means a renovation, remodel, repair or alteration by a residential
35 contractor to an existing owner-occupied:

36 (A) Residence that is a site-built home;

37 (B) Condominium, rental residential unit or other residential dwelling unit that is part of a
38 larger structure, if the property interest in the unit is separate from the property interest in the
39 larger structure;

40 (C) Modular home constructed off-site;

41 (D) Manufactured dwelling; or

42 (E) Floating home, as defined in ORS 830.700.

43 (b) "Home improvement" does not include a renovation, remodel, repair or alteration by a resi-
44 dential contractor:

45 (A) To a structure that contains one or more dwelling units and is four stories or less above

1 grade; or

2 (B) That the residential contractor performed in the course of constructing a new residential
3 structure.

4 (9)(a) "Home inspector" means a person who, for a fee, inspects and provides written reports
5 on the overall physical condition of a residential structure.

6 (b) "Home inspector" does not include persons certified under ORS chapter 455 to inspect new,
7 repaired or altered structures for compliance with the state building code.

8 (10) "Key employee" means an employee or owner of a contractor who is a corporate officer,
9 manager, superintendent, foreperson or lead person or any other employee the board identifies by
10 rule.

11 (11) "Large commercial structure" means a structure that is not a residential structure or small
12 commercial structure.

13 (12) "Officer" means any of the following persons:

14 (a) A president, vice president, secretary, treasurer or director of a corporation.

15 (b) A general partner in a limited partnership.

16 (c) A manager in a manager-managed limited liability company.

17 (d) A member of a member-managed limited liability company.

18 (e) A trustee.

19 (f) A person the board defines by rule as an officer. The definition of officer adopted by board
20 rule may include persons not listed in this subsection who may exercise substantial control over a
21 business.

22 (13) "Residential contractor" means a licensed contractor that holds an endorsement as a:

23 (a) Residential general contractor;

24 (b) Residential specialty contractor;

25 (c) Residential limited contractor;

26 (d) Residential developer;

27 (e) Residential locksmith services contractor;

28 **(f) Residential restoration contractor;**

29 ~~[(f)]~~ **(g)** Home inspector services contractor;

30 ~~[(g)]~~ **(h)** Home services contractor; or

31 ~~[(h)]~~ **(i)** Home energy performance score contractor.

32 (14) "Residential developer" means a developer of property that is zoned for or intended for use
33 compatible with a residential or small commercial structure.

34 (15)(a) "Residential structure" means:

35 (A) A residence that is a site-built home;

36 (B) A structure that contains one or more dwelling units and is four stories or less above grade;

37 (C) A condominium, rental residential unit or other residential dwelling unit that is part of a
38 larger structure, if the property interest in the unit is separate from the property interest in the
39 larger structure;

40 (D) A modular home constructed off-site;

41 (E) A manufactured dwelling;

42 (F) A floating home as defined in ORS 830.700; or

43 (G) An appurtenance to a home, structure, unit or dwelling described in subparagraphs (A) to
44 (F) of this paragraph.

45 (b) "Residential structure" does not mean:

1 (A) Subject to paragraph (a)(C) of this subsection, a structure that contains both residential and
2 nonresidential units;

3 (B) Transient lodging;

4 (C) A residential school or residence hall;

5 (D) A state or local correctional facility;

6 (E) A youth correction facility as defined in ORS 420.005;

7 (F) A youth care center operated by a county juvenile department under administrative control
8 of a juvenile court pursuant to ORS 420.855 to 420.885;

9 (G) A detention facility as defined in ORS 419A.004;

10 (H) A nursing home;

11 (I) A hospital; or

12 (J) A place constructed primarily for recreational activities.

13 (16) "Responsible managing individual" means an individual who:

14 (a) Is an owner described in ORS 701.094 or an employee of the business;

15 (b) Exercises management or supervisory authority, as defined by the board by rule, over the
16 construction activities of the business; and

17 (c)(A) Successfully completed the training and testing required for licensing under ORS 701.122
18 within a period the board identifies by rule;

19 (B) Demonstrated experience the board requires by rule; or

20 (C) Complied with the licensing requirements of ORS 446.395.

21 (17) "Small commercial structure" means:

22 (a) A nonresidential structure that has a ground area of 10,000 square feet or less, including
23 exterior walls, and a height of not more than 20 feet from the top surface of the lowest flooring to
24 the highest interior overhead finish of the structure;

25 (b) A nonresidential leasehold, rental unit or other unit that is part of a larger structure, if the
26 unit has a ground area of 12,000 square feet or less, excluding exterior walls, and a height of not
27 more than 20 feet from the top surface of the lowest flooring to the highest interior overhead finish
28 of the unit;

29 (c) A nonresidential structure of any size for which the contract price of all construction con-
30 tractor work to be performed on the structure as part of a construction project does not total more
31 than \$250,000; or

32 (d) An appurtenance to a structure or unit described in paragraphs (a) to (c) of this subsection.

33 (18) "Specialty contractor" means a contractor who performs work on a structure, project, de-
34 velopment or improvement and whose operations as such do not fall within the definition of "general
35 contractor." "Specialty contractor" includes a person who performs work regulated under ORS
36 446.395.

37 (19) "Worker leasing company" means a person licensed under ORS 656.850 (2) to perform the
38 service of providing nontemporary workers by contract and for a fee to work for a client.

39 (20) "Zero-lot-line dwelling" means a single-family dwelling unit constructed in a group of at-
40 tached units in which:

41 (a) Each attached unit extends from foundation to roof with open space on two sides; and

42 (b) Each dwelling unit is separated by a property line.

43 **SECTION 4.** ORS 701.005, as amended by section 59, chapter 630, Oregon Laws 2011, section
44 7, chapter 130, Oregon Laws 2013, section 4, chapter 251, Oregon Laws 2013, section 7, chapter 300,
45 Oregon Laws 2013, and section 9, chapter 383, Oregon Laws 2013, is amended to read:

- 1 701.005. As used in this chapter:
- 2 (1) “Board” means the Construction Contractors Board.
- 3 (2) “Commercial contractor” means a licensed contractor that holds an endorsement as a:
- 4 (a) Commercial general contractor level 1;
- 5 (b) Commercial specialty contractor level 1;
- 6 (c) Commercial general contractor level 2;
- 7 (d) Commercial specialty contractor level 2; or
- 8 (e) Commercial developer.
- 9 (3) “Commercial developer” means a developer of property that is zoned for or intended for use
- 10 compatible with a small commercial or large commercial structure.
- 11 (4) “Construction debt” means an amount owed:
- 12 (a) Under an order or arbitration award issued by the board that has become final by operation
- 13 of law;
- 14 (b) Under a judgment or civil penalty that has become final by operation of law arising from
- 15 construction activities within the United States;
- 16 (c) Under a judgment or civil penalty that has become final by operation of law arising from a
- 17 failure to comply with ORS 656.017; or
- 18 (d) To employees of a construction contracting business for unpaid wages.
- 19 (5) “Contractor” means any of the following:
- 20 (a) A person that, for compensation or with the intent to sell, arranges or undertakes or offers
- 21 to undertake or submits a bid to construct, alter, repair, add to, subtract from, improve, inspect,
- 22 move, wreck or demolish, for another, a building, highway, road, railroad, excavation or other
- 23 structure, project, development or improvement attached to real estate, or to do any part thereof.
- 24 (b) A person that purchases or owns property and constructs or for compensation arranges for
- 25 the construction of one or more residential structures or small commercial structures with the in-
- 26 tent of selling the structures.
- 27 (c) A school district, as defined in ORS 332.002, that permits students to construct a residential
- 28 structure or small commercial structure as an educational experience to learn building techniques
- 29 and sells the completed structure.
- 30 (d) A community college district, as defined in ORS 341.005, that permits students to construct
- 31 a residential structure or small commercial structure as an educational experience to learn building
- 32 techniques and sells the completed structure.
- 33 (e) A person except a landscape contracting business, nurseryman, gardener or person engaged
- 34 in the commercial harvest of forest products, that is engaged as an independent contractor to re-
- 35 move trees, prune trees, remove tree limbs or stumps or to engage in tree or limb guying.
- 36 (f) A business that supplies the services of a home inspector certified under ORS 701.350 or a
- 37 cross-connection inspector and backflow assembly tester certified under ORS 448.279.
- 38 (g) A person that for compensation arranges, undertakes, offers to undertake or submits a bid
- 39 to clean or service chimneys.
- 40 **(h) A person that arranges for, undertakes, offers to undertake or submits a bid for the**
- 41 **performance of restoration work as defined in section 2 of this 2015 Act.**
- 42 (6) “Developer” means a contractor that owns property or an interest in property and engages
- 43 in the business of arranging for construction work or performing other activities associated with the
- 44 improvement of real property, with the intent to sell the property.
- 45 (7)(a) “General contractor” means a contractor whose business operations require the use of

1 more than two unrelated building trades or crafts that the contractor supervises or performs in
2 whole or part, whenever the sum of all contracts on any single property, including materials and
3 labor, exceeds an amount established by rule by the board.

4 (b) "General contractor" does not mean a specialty contractor or a residential limited contrac-
5 tor.

6 (8)(a) "Home improvement" means a renovation, remodel, repair or alteration by a residential
7 contractor to an existing owner-occupied:

8 (A) Residence that is a site-built home;

9 (B) Condominium, rental residential unit or other residential dwelling unit that is part of a
10 larger structure, if the property interest in the unit is separate from the property interest in the
11 larger structure;

12 (C) Modular home constructed off-site;

13 (D) Manufactured dwelling; or

14 (E) Floating home, as defined in ORS 830.700.

15 (b) "Home improvement" does not include a renovation, remodel, repair or alteration by a resi-
16 dential contractor:

17 (A) To a structure that contains one or more dwelling units and is four stories or less above
18 grade; or

19 (B) That the residential contractor performed in the course of constructing a new residential
20 structure.

21 (9)(a) "Home inspector" means a person who, for a fee, inspects and provides written reports
22 on the overall physical condition of a residential structure.

23 (b) "Home inspector" does not include persons certified under ORS chapter 455 to inspect new,
24 repaired or altered structures for compliance with the state building code.

25 (10) "Key employee" means an employee or owner of a contractor who is a corporate officer,
26 manager, superintendent, foreperson or lead person or any other employee the board identifies by
27 rule.

28 (11) "Large commercial structure" means a structure that is not a residential structure or small
29 commercial structure.

30 (12) "Officer" means any of the following persons:

31 (a) A president, vice president, secretary, treasurer or director of a corporation.

32 (b) A general partner in a limited partnership.

33 (c) A manager in a manager-managed limited liability company.

34 (d) A member of a member-managed limited liability company.

35 (e) A trustee.

36 (f) A person the board defines by rule as an officer. The definition of officer adopted by board
37 rule may include persons not listed in this subsection who may exercise substantial control over a
38 business.

39 (13) "Residential contractor" means a licensed contractor that holds an endorsement as a:

40 (a) Residential general contractor;

41 (b) Residential specialty contractor;

42 (c) Residential limited contractor;

43 (d) Residential developer;

44 (e) Residential locksmith services contractor;

45 **(f) Residential restoration contractor;**

- 1 [(f)] (g) Home inspector services contractor;
- 2 [(g)] (h) Home services contractor; or
- 3 [(h)] (i) Home energy performance score contractor.
- 4 (14) “Residential developer” means a developer of property that is zoned for or intended for use
- 5 compatible with a residential or small commercial structure.
- 6 (15)(a) “Residential structure” means:
- 7 (A) A residence that is a site-built home;
- 8 (B) A structure that contains one or more dwelling units and is four stories or less above grade;
- 9 (C) A condominium, rental residential unit or other residential dwelling unit that is part of a
- 10 larger structure, if the property interest in the unit is separate from the property interest in the
- 11 larger structure;
- 12 (D) A modular home constructed off-site;
- 13 (E) A manufactured dwelling;
- 14 (F) A floating home as defined in ORS 830.700; or
- 15 (G) An appurtenance to a home, structure, unit or dwelling described in subparagraphs (A) to
- 16 (F) of this paragraph.
- 17 (b) “Residential structure” does not mean:
- 18 (A) Subject to paragraph (a)(C) of this subsection, a structure that contains both residential and
- 19 nonresidential units;
- 20 (B) Transient lodging;
- 21 (C) A residential school or residence hall;
- 22 (D) A state or local correctional facility;
- 23 (E) A youth correction facility as defined in ORS 420.005;
- 24 (F) A youth care center operated by a county juvenile department under administrative control
- 25 of a juvenile court pursuant to ORS 420.855 to 420.885;
- 26 (G) A detention facility as defined in ORS 419A.004;
- 27 (H) A nursing home;
- 28 (I) A hospital; or
- 29 (J) A place constructed primarily for recreational activities.
- 30 (16) “Responsible managing individual” means an individual who:
- 31 (a) Is an owner described in ORS 701.094 or an employee of the business;
- 32 (b) Exercises management or supervisory authority, as defined by the board by rule, over the
- 33 construction activities of the business; and
- 34 (c)(A) Successfully completed the training and testing required for licensing under ORS 701.122
- 35 within a period the board identifies by rule;
- 36 (B) Demonstrated experience the board requires by rule; or
- 37 (C) Complied with the licensing requirements of ORS 446.395.
- 38 (17) “Small commercial structure” means:
- 39 (a) A nonresidential structure that has a ground area of 10,000 square feet or less, including
- 40 exterior walls, and a height of not more than 20 feet from the top surface of the lowest flooring to
- 41 the highest interior overhead finish of the structure;
- 42 (b) A nonresidential leasehold, rental unit or other unit that is part of a larger structure, if the
- 43 unit has a ground area of 12,000 square feet or less, excluding exterior walls, and a height of not
- 44 more than 20 feet from the top surface of the lowest flooring to the highest interior overhead finish
- 45 of the unit;

1 (c) A nonresidential structure of any size for which the contract price of all construction con-
2 tractor work to be performed on the structure as part of a construction project does not total more
3 than \$250,000; or

4 (d) An appurtenance to a structure or unit described in paragraphs (a) to (c) of this subsection.

5 (18) "Specialty contractor" means a contractor who performs work on a structure, project, de-
6 velopment or improvement and whose operations as such do not fall within the definition of "general
7 contractor." "Specialty contractor" includes a person who performs work regulated under ORS
8 446.395.

9 (19) "Worker leasing company" means a person licensed under ORS 656.850 (2) to perform the
10 service of providing nontemporary workers by contract and for a fee to work for a client.

11 (20) "Zero-lot-line dwelling" means a single-family dwelling unit constructed in a group of at-
12 tached units in which:

13 (a) Each attached unit extends from foundation to roof with open space on two sides; and

14 (b) Each dwelling unit is separated by a property line.

15 **SECTION 5.** ORS 701.021 is amended to read:

16 701.021. (1) Except as provided in ORS 701.010, a person or joint venture that undertakes, offers
17 to undertake or submits a bid to do work as a contractor must have a current license issued by the
18 Construction Contractors Board and possess an appropriate endorsement as provided in this section.
19 For purposes of offering to undertake or submitting a bid to do work, a partnership or joint venture
20 is licensed and endorsed if any partner or joint venturer whose name appears in the business name
21 of the partnership or joint venture has a current license issued by the board and possesses an ap-
22 propriate endorsement.

23 (2) A person or joint venture that undertakes, offers to undertake or submits a bid to do work
24 as a contractor in preparation for or in connection with a residential structure must have one of
25 the following endorsements:

26 (a) Residential general contractor.

27 (b) Residential specialty contractor.

28 (c) Residential limited contractor.

29 (d) Residential developer.

30 (e) Residential locksmith services contractor.

31 **(f) Residential restoration contractor.**

32 [(f)] **(g)** Home inspector services contractor.

33 [(g)] **(h)** Home services contractor.

34 [(h)] **(i)** Home energy performance score contractor.

35 (3) A person or joint venture that undertakes, offers to undertake or submits a bid to do work
36 as a contractor in preparation for or in connection with a small commercial structure must have
37 one of the following endorsements:

38 (a) Residential general contractor.

39 (b) Residential specialty contractor.

40 (c) Residential limited contractor.

41 (d) Residential developer.

42 (e) Residential locksmith services contractor.

43 **(f) Residential restoration contractor.**

44 [(f)] **(g)** Commercial general contractor level 1.

45 [(g)] **(h)** Commercial specialty contractor level 1.

1 ~~[(h)]~~ (i) Commercial general contractor level 2.

2 ~~[(i)]~~ (j) Commercial specialty contractor level 2.

3 ~~[(j)]~~ (k) Commercial developer.

4 (4) A person or joint venture that undertakes, offers to undertake or submits a bid to do work
5 as a contractor in preparation for or in connection with a large commercial structure must have
6 one of the following endorsements:

7 (a) Commercial general contractor level 1.

8 (b) Commercial specialty contractor level 1.

9 (c) Commercial general contractor level 2.

10 (d) Commercial specialty contractor level 2.

11 (e) Commercial developer.

12 **SECTION 6.** ORS 701.081 is amended to read:

13 701.081. (1) A residential general contractor shall:

14 (a) Obtain a surety bond under ORS 701.068 in the amount of \$20,000;

15 (b) Obtain general liability insurance under ORS 701.073 in an amount of not less than \$500,000;
16 and

17 (c) Have a responsible managing individual who meets the requirements of ORS 701.091.

18 (2) A residential specialty contractor shall:

19 (a) Obtain a surety bond under ORS 701.068 in the amount of \$15,000;

20 (b) Obtain general liability insurance under ORS 701.073 in an amount not less than \$300,000;
21 and

22 (c) Have a responsible managing individual who meets the requirements of ORS 701.091.

23 (3) A residential limited contractor shall:

24 (a) Obtain a surety bond under ORS 701.068 in the amount of \$10,000;

25 (b) Obtain general liability insurance under ORS 701.073 in an amount not less than \$100,000;
26 and

27 (c) Have a responsible managing individual who meets the requirements of ORS 701.091.

28 (4) A residential developer shall:

29 (a) Obtain a surety bond under ORS 701.068 in the amount of \$20,000; and

30 (b) Obtain general liability insurance under ORS 701.073 in an amount not less than \$500,000.

31 (5) A residential locksmith services contractor shall:

32 (a) Obtain a surety bond under ORS 701.068 in the amount of \$10,000;

33 (b) Obtain general liability insurance under ORS 701.073 in an amount of not less than \$100,000;
34 and

35 (c) Have a responsible managing individual for the business who is certified as a locksmith un-
36 der ORS 701.485.

37 (6) A home inspector services contractor shall:

38 (a) Obtain a surety bond under ORS 701.068 in the amount of \$10,000;

39 (b) Obtain general liability insurance under ORS 701.073 in an amount of not less than \$100,000;
40 and

41 (c) Have a responsible managing individual for the business who is certified as a home inspector
42 under ORS 701.350.

43 (7) A home services contractor shall:

44 (a) Obtain a surety bond under ORS 701.068 in the amount of \$10,000; and

45 (b) Obtain general liability insurance under ORS 701.073 in an amount of not less than \$100,000.

1 (8) A home energy performance score contractor shall:

2 (a) Obtain a surety bond under ORS 701.068 in the amount of \$10,000;

3 (b) Obtain general liability insurance under ORS 701.073 in an amount of not less than \$100,000;

4 and

5 (c) Have an owner or employee that is certified by the board as a home energy assessor.

6 **(9) A residential restoration contractor shall:**

7 **(a) Obtain a surety bond under ORS 701.068 in the amount of \$10,000; and**

8 **(b) Obtain general liability insurance under ORS 701.073 in an amount of not less than**
9 **\$100,000.**

10 **SECTION 7. (1) As used in this section, “board-up services” and “restoration work” have**
11 **the meanings given those terms in section 2 of this 2015 Act.**

12 **(2) The Construction Contractors Board shall adopt initial rules for the issuance of resi-**
13 **dential restoration contractor license endorsements as provided under section 2 of this 2015**
14 **Act in time to make the license endorsements available no later than January 1, 2017.**
15 **Notwithstanding ORS 701.238, the initial application fee, licensing fee or other fees imposed**
16 **for a residential restoration contractor shall be the fees in effect on the effective date of this**
17 **2015 Act for a residential limited contractor. The initial fees required by this subsection do**
18 **not require prior approval of the Oregon Department of Administrative Services or a report**
19 **to the Emergency Board prior to adoption.**

20 **(3) The endorsement requirements established in section 2 (3) of this 2015 Act apply to**
21 **arranging for, undertaking, offering to undertake or submitting a bid to undertake restora-**
22 **tion work to be performed in whole or in part on or after July 1, 2017. This subsection does**
23 **not authorize the performance of board-up services by a person who is not licensed as a**
24 **contractor by the Construction Contractors Board, regardless of the performance date.**

25 _____