

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE  
SECRETARY OF STATE

CHERYL MYERS  
DEPUTY SECRETARY OF STATE  
AND TRIBAL LIAISON



ARCHIVES DIVISION

STEPHANIE CLARK  
DIRECTOR

800 SUMMER STREET NE  
SALEM, OR 97310  
503-373-0701

**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 812  
CONSTRUCTION CONTRACTORS BOARD

**FILED**

12/27/2023 9:25 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Proposed Construction Contractor Board Licensing Fee Increase

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 03/14/2024 5:00 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

CONTACT: Shannon Flowers  
503-934-2229  
shannon.flowers@ccb.oregon.gov

201 High Street Suite 600  
Salem, OR 97301

Filed By:  
Shannon Flowers  
Rules Coordinator

HEARING(S)

*Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.*

DATE: 03/13/2024

TIME: 2:00 PM - 4:00 PM

OFFICER: Shannon Flowers

HEARING LOCATION

ADDRESS: Beardsley Building, 1st Floor Hearing Room, 201 High Street NE, Salem, OR 97301

NEED FOR THE RULE(S)

OAR 812-003-0142 is amended to establish a fee increase to the CCB licensing fee from \$325 to \$400 for a two-year license effective July 1, 2024, for all renewal applications, and effective July 1, 2025, for all new licensees as authorized by the CCB Legislatively Approved Budget.

At the December 6, 2023 Construction Contractors Board meeting, Board members determined that a license fee increase was needed to adequately fund the CCB and maintain reserves for needed licensing system improvements. The last fee increase was effective July 1, 2010.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

ORS 701 and OAR 812. A link to the documents is on the agency website at [www.oregon.gov/ccb](http://www.oregon.gov/ccb)

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

No known impact to racial equity

FISCAL AND ECONOMIC IMPACT:

OAR 812-003-0142 is amended to establish a fee increase to the CCB licensing fee from \$325 to \$400 for a two-year

license. This fee increase is effective July 1, 2024, for all renewal or reissue applications, and is effective July 1, 2025 for all new licensees.

This is an increase of \$37.50 per year or \$75 for a two-year license period. The last fee increase was effective July 1, 2010.

\$75 Renewal Fee Implemented July 2024; \$75 New License Fee Implemented July 2025

- Additional Agency Revenue 23-25: \$1.4M
- Additional Agency Revenue 25-27: \$3.6M
- Agency Ending Balance 23-25: \$3.92M (5.1 Months of operating cash)
- Agency Ending Balance 25-27: \$4.19M (5.0 Months of operating cash)

---

#### COST OF COMPLIANCE:

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

1. No additional state agencies or units of local government are likely to be impacted by this rule. Members of the public who are engaged in construction contracting, or who make use of the services of construction contracting businesses, may be minimally impacted by this rule.

2. (a) As of end of November 2023 there are 49,769 total licensees licensed by the Construction Contractor's Board, all of which will eventually be subject to this rule and fee increase. Information about business size is not reported to the agency; however, it is likely that a significant portion of licensees would qualify as small businesses.

(b) No additional reporting, recordkeeping and administrative activities and costs anticipated.

(c) No additional cost of professional services, equipment supplies, labor and increased administration anticipated for compliance with the rule.

---

#### DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

The agency works with its Board to develop administrative rules. Several of the current nine Board members are business owners. The Board requested its Administrator conduct outreach to small business owners prior to adoption of the fee increase by the Board. The Board requested that the comment period for the rule extend through the 2024 legislative session and include a rulemaking hearing in March 2024 to allow anyone who wants to comment on the proposed rule to do so.

---

#### WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The agency uses its Board which is made up of six contractors; one elected public official, and two public members who review and approve the agency's administrative rules. Some of the Board members are members of industry associations who discuss proposed rules with their associations and then report back to the Board on any information gleaned from such discussions. As noted above, the Administrator for the Board was also requested to conduct outreach to the construction community on this proposal and to report back to the Board on the information learned.

---

#### HOUSING IMPACT STATEMENT:

No anticipated housing impact.

---

AMEND: 812-003-0142

RULE SUMMARY: License Application Fees

CHANGES TO RULE:

812-003-0142

License Application Fees ¶¶

~~(1) Except as provided in section (6) of this rule effective July 1, 2024, the application fee for all renewal or reissued licenses is \$400. For applications received on or before June 30, 2024, the application fee for all new, renewal, or reissued licenses is \$325.¶¶~~

~~(2) Except as provided in section (6) of this rule, for the period from July 1, 2019, through effective July 1, 2025, the application fee for all new licenses is \$400. For applications received on or before June 30, 2024, the application fee for all new, renewal, or reissued licenses is \$325.¶¶~~

~~(3) Except as provided in section (4) of this rule, application fees will not be refunded.¶¶~~

~~(4) If a licensee submits an application to renew a license and the agency cannot renew the license because the applicant has formed a new business entity, the agency may refund the renewal application fee, less a \$40 processing fee.¶¶~~

~~(5)(a) Any licensee in the United States armed forces need not pay a license renewal fee if such fee would be due during the licensee's active-duty service.¶¶~~

~~(b) A licensee in the United States armed forces shall pay the next license renewal fee that will become due after the licensee is discharged from active-duty service.¶¶~~

~~(c) The agency may request that the licensee provide documentation of active-duty status and of discharge.¶¶~~

~~(d) Section (5) of this rule applies to licensees that are sole proprietors or partners in a general partnership.¶¶~~

~~(6) A new license issued pursuant to HB 4144 (2018) to a sole proprietorship that satisfies the requirements of HB 4144 and OAR 812-006-0162 does not require an initial application fee. This fee exemption expires on January 2, 2022.~~

~~Statutory/Other Authority: ORS 670.310, 701.238, 701.235, OR Laws 2018 Ch 46, Secs 1,2~~

~~Statutes/Other Implemented: ORS 701.056, 701.063, 701.238, OR Laws 2018 Ch 46, Secs 1,2~~