

REPRESENTATIVE ANNESSA HARTMAN (SHE/HER)
HOUSE DISTRICT 40



OREGON HOUSE OF REPRESENTATIVES

Co-Chairs Helm and Owens, Vice-Chair McDonald, members of the Committee,

Thank you for the opportunity to present **HB 3526**, a bill that strengthens Oregon's protections for homebuyers by ensuring they have the information they need about water quality **before** purchasing a property with an exempt well.

Oregon law already requires well water testing during property sales, but the system is flawed. By the time most buyers receive test results, they are too far into the transaction to back out, even if contaminants like arsenic, nitrates, or E. coli are found. Some sellers simply fail to provide test results, and there is no real mechanism to hold them accountable. Even when tests are completed, the results are often not reported to the state, making it difficult to track groundwater quality and identify contamination trends.

HB 3526 makes a simple but crucial change. It shifts the timing of well water disclosures so that test results are provided to prospective buyers as part of the seller's property disclosure, before an offer is accepted.

To improve accountability, the bill also holds sellers responsible if they fail to disclose unsafe water conditions, giving buyers legal recourse if they later discover contamination that was not reported.

Finally, it transfers oversight of well water reporting from the Oregon Health Authority to the Department of Environmental Quality, an agency better suited to monitor groundwater quality across the state.

To ensure effective compliance, we are working on two amendments and would appreciate the committee's thoughts on which feels is the best course of action. The first option requires the labs conducting the tests to submit results directly to the state rather than relying on sellers to report them. This adjustment will ensure that data is collected accurately and in a way that DEQ can handle.

The second option would maintain OHA as the data collection agency for now, because DEQ currently lacks the capacity to process non-digital test result submissions, such as handwritten results, faxes, and pictures.

A handwritten signature in black ink.

Representative Annessa Hartman
House District 40 – Gladstone, Oregon City, North Clackamas County

Rep.AnnessaHartman@oregonlegislature.gov – www.oregonlegislature.gov/Hartman

Capitol Address: 900 Court St. NE, Salem, OR 97301 – Phone: (503) 986-1440