

Senate Amendment to
House File 561

H-1328

1 House File 561 , as passed by the House, as follows:
2 1. Page 1, line 11, by striking <1> and inserting <2>
3 2. Page 1, by striking lines 13 through 15 and inserting:
4 <2. In a court action to challenge a mechanic's lien posted
5 on a residential construction property, or any bond given in
6 lieu thereof, if the person challenging the lien or defending
7 against any action on the bond prevails, the court may award
8 reasonable attorney fees and actual damages. If the court
9 determines that the mechanic's lien was posted in bad faith
10 or the supporting affidavit was materially false, the court
11 shall award the owner reasonable attorney fees plus an amount
12 not less than five hundred dollars or the amount of the lien,
13 whichever is less.>