

House File 561

H-1352

1 Amend the Senate amendment, H-1328, to House File 561, as
2 passed by the House, as follows:

3 1. Page 1, by striking lines 2 through 13 and inserting:

4 <___. Page 1, line 11, by striking <subsection 1,>

5 ___. Page 1, after line 12 by inserting:

6 <572.32 Attorney fees — remedies.>

7 ___. Page 1, after line 15 by inserting:

8 <2. In a court action to challenge a mechanic's lien posted
9 on a residential construction property, or any bond given in
10 lieu thereof, if the person challenging the lien or defending
11 against any action on the bond prevails, the court may award
12 reasonable attorney fees and actual damages. If the court
13 determines that the mechanic's lien was posted in bad faith
14 or the supporting affidavit was materially false, the court
15 shall award the owner reasonable attorney fees plus an amount
16 not less than five hundred dollars or the amount of the lien,
17 whichever is less.>>

18 2. By renumbering as necessary.

GUSTAFSON of Madison