

# Senate Study Bill 1076

## Bill Text

PAG LIN

1 1 Section 1. Section [572.33](#), Code 1999, is amended to read  
1 2 as follows:  
1 3 572.33 REQUIREMENT OF NOTIFICATION.  
1 4 Notwithstanding any other

~~provisions of this chapter~~

~~—~~  
1 5 provision of the Code to the contrary, and in addition to all  
1 6 other requirements of this chapter, a claim by a person  
1 7 furnishing

~~labor or~~

~~—~~ only materials to a subcontractor who is  
1 8 also furnishing only materials to the principal contractor  
1 9 shall not be entitled to a lien under this chapter unless the  
1 10 person furnishing

~~labor or~~

~~— materials~~

~~does all of the~~

~~—~~  
1 11

~~following:~~

~~—~~  
1 12

~~1. Notifies the owner and~~

~~— to the subcontractor notifies~~

1 13 the principal contractor within thirty days of the furnishing  
1 14 of the

~~labor or~~

~~— materials~~

~~for which a lien claim is made,~~

~~—~~  
1 15

~~including the amount, kind, and value of the labor or~~

~~—~~  
1 16

~~materials furnished.~~

~~—~~  
1 17

~~2. Supports~~

~~— and supports the lien claim with a certified~~

1 18 statement that the principal contractor was notified within  
1 19 thirty days after the

~~labor or~~

~~— materials were furnished~~

~~of the~~

~~1 20~~

~~amount, kind, and value of the labor or materials furnished~~

~~1 21~~

EXPLANATION

1 22 This bill amends Code section 572.33, regarding mechanics'  
1 23 liens on labor and materials furnished to a subcontractor.  
1 24 The bill removes changes made to the section by the general  
1 25 assembly in the 1998 Session, returning the scope of the  
1 26 section to persons who furnish only materials to a  
1 27 subcontractor who is also furnishing only materials to a  
1 28 principal contractor. The bill would require such persons to  
1 29 notify the principal contractor within 30 days of furnishing  
1 30 the materials, and to support the lien claim with a certified  
1 31 statement attesting to the 30-day notification, in addition to  
1 32 all other requirements under the chapter, in order to be  
1 33 entitled to a mechanic's lien.  
1 34 LSB 2129SC 78  
1 35 jj/jw/5