

# House Study Bill 760

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON PAULSEN)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to an award of attorney fees in an action to  
2 enforce a mechanic's lien.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 6553HC 81  
5 kk/je/5

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1 1 Section 1. Section 572.32, subsection 1, Code 2005, is  
1 2 amended to read as follows:  
1 3 1. In a court action to enforce a mechanic's lien, if the  
1 4 plaintiff furnished labor or materials ~~directly~~ to the  
1 5 defendant, a prevailing plaintiff may be awarded reasonable  
1 6 attorney fees.

### EXPLANATION

1 7  
1 8 This bill relates to an award of attorney fees in an action  
1 9 filed to enforce a mechanic's lien. Under current law, a  
1 10 plaintiff may be awarded reasonable attorney fees if the  
1 11 plaintiff furnished either labor or materials directly to the  
1 12 defendant. The bill removes the requirement that the  
1 13 plaintiff must furnish labor or materials directly to the  
1 14 defendant in order for attorney fees to be awarded in an  
1 15 action to enforce a mechanic's lien.  
1 16 LSB 6553HC 81  
1 17 kk:nh/je/5