

House Study Bill 173 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOLT)

A BILL FOR

1 An Act relating to the perfection of mechanics' liens and
2 mechanics' liens remedies.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 572.8, subsection 3, Code 2021, is
2 amended to read as follows:

3 3. A lien perfected under **this section** shall be limited
4 to the county or counties in which the building, land, or
5 improvement to be charged with the lien is situated. The
6 county or counties identified on the mechanics' notice and lien
7 registry internet site at the time of posting the required
8 notices pursuant to sections **572.13A** and **572.13B** shall be
9 the only county or counties in which the building, land, or
10 improvement may be charged with a mechanic's lien.

11 Sec. 2. Section 572.32, subsection 1, Code 2021, is amended
12 to read as follows:

13 1. In a court action to enforce a mechanic's lien, or
14 an action brought upon any bond given in lieu thereof, a
15 prevailing plaintiff may be awarded reasonable attorney fees.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 This bill specifies that a perfected mechanic's lien shall
20 be limited to the county or counties in which the building,
21 land, or improvement to be charged with the lien is situated.
22 The bill also provides that, in addition to an action to
23 enforce a mechanic's lien, attorney fees may be awarded to a
24 prevailing plaintiff in an action brought upon any bond given
25 in lieu of a mechanic's lien.