

House File 2477 - Reprinted

HOUSE FILE 2477
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 559)

(As Amended and Passed by the House March 3, 2010)

A BILL FOR

1 An Act relating to mechanics' liens including the establishment
2 of a state construction registry for residential
3 construction property and providing an effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 572.1, Code 2009, is amended to read as
2 follows:

3 **572.1 Definitions and rules of construction.**

4 For the purpose of this chapter:

5 1. "Authority" means the Iowa finance authority established
6 in section 16.2.

7 ~~1.~~ 2. "Building" shall be construed as if followed by the
8 words "erection, or other improvement upon land".

9 3. "General contractor" includes every person who does work
10 or furnishes materials by contract, express or implied, with an
11 owner. "General contractor" does not include a person who does
12 work or furnishes materials on contract with an owner-builder.

13 ~~2.~~ 4. "Labor" means labor completed by the claimant.

14 ~~3.~~ 5. "Material" shall, in addition to its ordinary
15 meaning, include includes machinery, tools, fixtures, trees,
16 evergreens, vines, plants, shrubs, tubers, bulbs, hedges,
17 bushes, sod, soil, dirt, mulch, peat, fertilizer, fence wire,
18 fence material, fence posts, tile, and the use of forms,
19 accessories, and equipment furnished by the claimant.

20 ~~4.~~ 6. "Owner" means the record legal or equitable
21 titleholder and every person for whose use or benefit any
22 building, erection, or other improvement is made, having the
23 capacity to contract, including guardians of record.

24 ~~5.~~ "Owner-occupied dwelling" means the homestead of an
25 owner, as defined in section 561.1, and without respect to the
26 value limitations in section 561.3, and actually occupied by
27 the owner or the spouse of the owner, or both. "Owner-occupied
28 dwelling" includes a newly constructed dwelling to be occupied
29 by the owner as a homestead, or a dwelling that is under
30 construction and being built by or for an owner who will occupy
31 the dwelling as a homestead.

32 7. "Owner-builder" means the legal or equitable titleholder
33 of record who furnishes material or performs labor upon a
34 building, erection, or other improvement and who offers or
35 intends to offer to sell the owner-builder's property without

1 occupying or using the structures, properties, developments,
2 or improvements for a period of more than one year from the
3 date the structure, property, development, or improvement is
4 substantially completed or abandoned.

5 8. "Residential construction" means construction on
6 single-family or two-family dwellings occupied or used, or
7 intended to be occupied or used, primarily for residential
8 purposes, and includes real property pursuant to chapter 499B.

9 9. "State construction registry" means a centralized
10 computer database maintained and posted on the internet by
11 the authority that provides a central repository for the
12 submission and management of preliminary notices and notices
13 of commencement of work on all residential construction
14 properties.

15 10. "State construction registry number" means a number
16 provided by the authority for all construction properties
17 posted to the state construction registry.

18 ~~6.~~ 11. "Subcontractor" shall include includes every person
19 furnishing material or performing labor upon any building,
20 erection, or other improvement, except those having contracts
21 directly with the owner. "Subcontractor" shall include those
22 persons having contracts directly with an owner-builder.

23 Sec. 2. Section 572.2, Code 2009, is amended to read as
24 follows:

25 **572.2 Persons entitled to lien.**

26 1. Every person who ~~shall furnish~~ furnishes any material
27 or labor for, or ~~perform~~ performs any labor upon, any building
28 or land for improvement, alteration, or repair thereof,
29 including those engaged in the construction or repair of any
30 work of internal or external improvement, and those engaged
31 in grading, sodding, installing nursery stock, landscaping,
32 sidewalk building, fencing on any land or lot, by virtue of any
33 contract with the owner, owner-builder, general contractor,
34 or subcontractor shall have a lien upon such building or
35 improvement, and land belonging to the owner on which the same

1 is situated or upon the land or lot so graded, landscaped,
2 fenced, or otherwise improved, altered, or repaired, to secure
3 payment for the material or labor furnished or labor performed.

4 2. If material is rented by a person to the owner,
5 general contractor, or subcontractor, the person shall have a
6 lien upon such building, improvement, or land to secure payment
7 for the material rental. The lien is for the reasonable rental
8 value during the period of actual use of the material and any
9 reasonable periods of nonuse of the material taken into account
10 in the rental agreement. The delivery of material to such
11 building, improvement, or land, whether or not delivery is made
12 by the person, creates a presumption that the material was
13 used in the course of alteration, construction, or repair of
14 the building, improvement, or land. However, this presumption
15 shall not pertain to recoveries sought under a surety bond.

16 3. An owner-builder is not entitled to a lien under
17 this chapter as to work the owner-builder performs, or is
18 contractually obligated to perform, prior to transferring title
19 to the buyer.

20 Sec. 3. Section 572.8, subsection 1, Code 2009, is amended
21 by adding the following new paragraph:

22 NEW PARAGRAPH. *d.* The address of the property or a
23 description of the location of the property.

24 Sec. 4. Section 572.9, Code 2009, is amended to read as
25 follows:

26 **572.9 Time of filing.**

27 The statement of account required by section 572.8 shall
28 be filed by a ~~principal~~ general contractor or subcontractor
29 within two years and ninety days after the date on which the
30 last of the material was furnished or the last of the labor was
31 performed.

32 Sec. 5. Section 572.10, Code 2009, is amended to read as
33 follows:

34 **572.10 Perfecting lien after lapse of ninety days.**

35 A general contractor or a subcontractor may perfect a

1 mechanic's lien pursuant to section 572.8 beyond ninety days
2 after the date on which the last of the material was furnished
3 or the last of the labor was performed by filing a claim with
4 the clerk of the district court and giving written notice
5 thereof to the owner. Such notice may be served by any person
6 in the manner original notices are required to be served.
7 If the party to be served is out of the county wherein the
8 property is situated, a return of that fact by the person
9 charged with making such service shall constitute sufficient
10 service from and after the time it was filed with the clerk of
11 the district court.

12 Sec. 6. Section 572.11, Code 2009, is amended to read as
13 follows:

14 **572.11 Extent of lien filed after ninety days.**

15 Liens perfected under section 572.10 shall be enforced
16 against the property or upon the bond, if given, by the owner
17 or owner-builder, only to the extent of the balance due from
18 the owner to the general contractor or owner-builder at the
19 time of the service of such notice; but if the bond was given by
20 the general contractor or owner-builder, or person contracting
21 with the subcontractor filing the claim for a lien, such bond
22 shall be enforced to the full extent of the amount found due
23 the subcontractor.

24 Sec. 7. Section 572.13, Code 2009, is amended by striking
25 the section and inserting in lieu thereof the following:

26 **572.13 General contractor — owner notice — residential**
27 **construction.**

28 1. A general contractor who has contracted or will contract
29 with a subcontractor to provide labor or furnish material for
30 the property shall provide the owner with the following owner
31 notice in writing in boldface type of a minimum size of ten
32 points:

33 "Persons or companies furnishing labor or materials for
34 the improvement of real property may enforce a lien upon the
35 improved property if they are not paid for their contributions,

1 even if the parties have no direct contractual relationship
2 with the owner. The state construction registry provides
3 a listing of all persons or companies furnishing labor or
4 materials who may file a lien upon the improved property.
5 If the person or company has posted its notice to the state
6 construction registry, you may be required to pay the person or
7 company even if you have paid the general contractor the full
8 amount due. Therefore, check the state construction registry
9 internet website for information about the property including
10 persons or companies furnishing labor or materials before
11 paying your general contractor. In addition, when making
12 payment to your general contractor, it is important to obtain
13 lien waivers from your general contractor and from persons or
14 companies furnishing labor or materials to your property. The
15 information in the state construction registry is posted on the
16 internet website of the Iowa finance authority.”

17 2. The notice described in subsection 1 shall also contain
18 the internet website address and toll-free telephone number of
19 the state construction registry.

20 3. A general contractor who fails to provide notice pursuant
21 to this section is not entitled to a lien and remedy provided
22 by this chapter.

23 4. This section applies only to residential construction
24 properties.

25 **Sec. 8. NEW SECTION. 572.13A Notice of commencement of work**
26 **— general contractor — owner-builder.**

27 1. A general contractor or owner-builder shall submit
28 a notice of commencement of work to the authority or post
29 a notice of commencement of work to the state construction
30 registry internet website within ten days of commencement of
31 work on the property. A notice of commencement of work is
32 effective only as to any labor, service, equipment, or material
33 furnished to the property subsequent to the posting of the
34 notice of commencement of work. A notice of commencement of
35 work shall include all of the following information:

- 1 *a.* The name and address of the property owner.
- 2 *b.* The name and address of the general contractor or
3 owner-builder.
- 4 *c.* The address of the property if the property can be
5 reasonably identified by an address or the name and a general
6 description of the location of the property if the property
7 cannot be reasonably identified by an address.
- 8 *d.* A legal description of the property.
- 9 *e.* The date work commenced.
- 10 *f.* Any other information prescribed by the authority
11 pursuant to rule.

12 2. If a general contractor or owner-builder fails to submit
13 a notice of commencement of work to the authority or fails to
14 post the required notice of commencement of work to the state
15 construction registry internet website pursuant to subsection
16 1, within ten days of commencement of the work on the property,
17 a subcontractor may submit or post the notice in conjunction
18 with the filing of the required preliminary notice pursuant to
19 section 572.13B.

20 3. At the time a notice of commencement of work is posted on
21 the state construction registry internet website, the authority
22 shall send a copy of the owner notice described in section
23 572.13 along with other relevant information to the owner and
24 to the property address, addressed to "owner", as prescribed by
25 the authority pursuant to rule.

26 4. A general contractor who fails to provide notice pursuant
27 to this section is not entitled to a lien and remedy provided
28 by this chapter.

29 5. This section applies only to residential construction
30 properties.

31 Sec. 9. NEW SECTION. 572.13B Preliminary notice —
32 subcontractor — residential construction.

33 1. A subcontractor shall submit a preliminary notice
34 to the authority or post a preliminary notice to the state
35 construction registry internet website. A preliminary notice

1 posted prior to the balance paid to the general contractor
2 or owner-builder by the owner is effective as to all labor,
3 service, equipment, and material furnished to the property by
4 the subcontractor. The preliminary notice shall contain all
5 of the following information:

6 a. The name of the owner.

7 b. The state construction registry number.

8 c. The name, address, and telephone number of the
9 subcontractor furnishing the labor, service, equipment, or
10 material.

11 d. The name and address of the person who contracted
12 with the claimant for the furnishing of the labor, service,
13 equipment, or material.

14 e. The name of the general contractor or owner-builder under
15 which the claimant is performing or will perform the work.

16 f. The address of the property or a description of the
17 location of the property.

18 g. Any other information required by the authority pursuant
19 to rule.

20 2. a. A mechanic's lien perfected under this chapter
21 is enforceable only to the extent of the balance due the
22 general contractor or owner-builder prior to the posting of a
23 preliminary notice specified in subsection 1.

24 b. Except for residential construction property owned
25 by an owner-builder, a mechanic's lien perfected under this
26 chapter is enforceable only to the extent of the balance due
27 the general contractor at the time the owner actually receives
28 the notice sent pursuant to subsection 3.

29 c. In any action to enforce a mechanic's lien perfected
30 under this chapter against the owner, the subcontractor bears
31 the burden to prove by a preponderance of the evidence that the
32 owner actually received notice pursuant to subsection 3.

33 3. At the time a preliminary notice is posted to the state
34 construction registry, the authority shall send notification
35 to the owner as prescribed by the authority pursuant to

1 rule, including the owner notice described in section 572.13,
2 subsection 1. Notices under this section will not be sent
3 to owner-builders. For purposes of satisfying the notice
4 requirement in subsection 2, concerning actual receipt of such
5 notice, a subcontractor may provide a separate notice directly
6 to the owner.

7 4. A subcontractor who fails to submit or post a preliminary
8 notice pursuant to this section shall not be entitled to a lien
9 and remedy provided under this chapter.

10 5. This section applies only to residential construction
11 properties.

12 Sec. 10. Section 572.14, Code 2009, is amended by striking
13 the section and inserting in lieu thereof the following:

14 **572.14 Liability to subcontractor after payment to general**
15 **contractor or owner-builder.**

16 Except as provided in section 572.13B, payment to the
17 general contractor or owner-builder by the owner of any part or
18 all of the contract price of the building or improvement within
19 ninety days after the date on which the last of the materials
20 was furnished or the last of the labor was performed by a
21 subcontractor, does not relieve the owner from liability to the
22 subcontractor for the full value of any material furnished or
23 labor performed upon the building, land, or improvement if the
24 subcontractor files a lien within ninety days after the date
25 on which the last of the materials was furnished or the last of
26 the labor was performed.

27 Sec. 11. Section 572.15, Code 2009, is amended to read as
28 follows:

29 **572.15 Discharge of ~~subcontractor's~~ mechanic's lien — bond.**

30 A mechanic's lien may be discharged at any time by ~~the owner,~~
31 ~~principal contractor, or intermediate subcontractor~~ filing with
32 the clerk of the district court of the county in which the
33 property is located a bond in twice the amount of the sum for
34 which the claim for the lien is filed, with surety or sureties,
35 to be approved by the clerk, conditioned for the payment of any

1 sum for which the claimant may obtain judgment upon the claim.

2 Sec. 12. Section 572.16, Code 2009, is amended to read as
3 follows:

4 **572.16 Rule of construction.**

5 Nothing in this chapter shall be construed to require
6 the owner to pay a greater amount or at an earlier
7 date than is provided in the owner's contract with the
8 ~~principal~~ general contractor, unless ~~said the~~ the owner pays a part
9 or all of the contract price to the ~~original~~ general contractor
10 before the expiration of the ninety days allowed by law for
11 the filing of a mechanic's lien by a subcontractor; provided
12 that in the case of ~~an owner-occupied dwelling~~ residential
13 construction, nothing in this chapter shall be construed to
14 require the owner to pay a greater amount or at an earlier
15 date than is provided in the owner's contract with the
16 ~~principal~~ general contractor, unless the owner pays a part or
17 all of the contract price to the ~~principal~~ general contractor
18 ~~after receipt of notice under section 572.14, subsection 2 a~~
19 preliminary notice has been posted to the state construction
20 registry internet website pursuant to section 572.13B.

21 Sec. 13. Section 572.17, Code 2009, is amended to read as
22 follows:

23 **572.17 Priority of mechanics' liens between mechanics.**

24 Mechanics' liens shall have priority over each other in
25 the order of the filing of the statements ~~or~~ of accounts as
26 ~~herein provided in section 572.8.~~

27 Sec. 14. Section 572.18, subsections 1 and 3, Code 2009, are
28 amended to read as follows:

29 1. Mechanics' liens filed by a ~~principal~~ general contractor
30 or subcontractor within ninety days after the date on which
31 the last of the material was furnished or the last of the
32 claimant's labor was performed and for which notices were
33 properly submitted or posted to the state construction registry
34 internet website pursuant to sections 572.13A and 572.13B shall
35 be superior to all other liens which may attach to or upon

1 a building or improvement and to the land upon which it is
2 situated, except liens of record prior to the time of the
3 original commencement of the claimant's work or the claimant's
4 improvements, except as provided in subsection 2.

5 3. The rights of purchasers, encumbrancers, and other
6 persons who acquire interests in good faith, for a valuable
7 consideration, and without notice of a lien perfected
8 pursuant to this chapter, are superior to the claims of all
9 general contractors or subcontractors who have perfected their
10 liens more than ninety days after the date on which the last
11 of the claimant's material was furnished or the last of the
12 claimant's labor was performed.

13 Sec. 15. Section 572.22, unnumbered paragraph 1, Code 2009,
14 is amended to read as follows:

15 The clerk of the court shall endorse upon every claim for
16 a mechanic's lien filed in the clerk's office the date and
17 hour of filing and ~~make an abstract thereof in the mechanic's~~
18 ~~lien book kept for that purpose. Said book shall be properly~~
19 ~~indexed and~~ index every claim in the office of the clerk of the
20 county where such real estate is situated. Each claim shall
21 contain the following items ~~concerning each claim:~~

22 Sec. 16. Section 572.23, subsection 1, Code 2009, is amended
23 to read as follows:

24 1. When a mechanic's lien is satisfied by payment of the
25 claim, the claimant shall acknowledge satisfaction thereof ~~upon~~
26 ~~the mechanic's lien book, or otherwise in writing,~~ and, if the
27 claimant neglects to do so for thirty days after demand in
28 writing is personally served upon the claimant, the claimant
29 shall forfeit and pay twenty-five dollars to the owner or
30 general contractor or owner-builder, and be liable to any
31 person injured to the extent of the injury.

32 Sec. 17. Section 572.30, Code 2009, is amended to read as
33 follows:

34 **572.30 Action by subcontractor or owner against general**
35 **contractor or owner-builder.**

1 Unless otherwise agreed, a ~~principal~~ general contractor
2 or owner-builder who engages a subcontractor to supply
3 labor or materials or both for improvements, alterations or
4 repairs to a specific ~~owner-occupied dwelling~~ residential
5 construction property shall pay the subcontractor in full for
6 all labor and materials supplied within thirty days after the
7 date the ~~principal~~ general contractor or owner-builder receives
8 full payment from the owner. If a ~~principal~~ general contractor
9 or owner-builder fails without due cause to pay a subcontractor
10 as required by this section, the subcontractor, or the
11 owner by subrogation, may commence an action against the
12 general contractor or owner-builder to recover the amount
13 due. Prior to commencing an action to recover the amount
14 due, a subcontractor, or the owner by subrogation, shall give
15 notice of nonpayment of the cost of labor or materials to
16 the ~~principal~~ general contractor or owner-builder paid for
17 the improvement. Notice of nonpayment must be in writing,
18 delivered in a reasonable manner, and in terms that reasonably
19 identify the real estate improved and the nonpayment complained
20 of. In an action to recover the amount due a subcontractor,
21 or the owner by subrogation, under this section, the court
22 in addition to actual damages, shall award a successful
23 plaintiff exemplary damages against the general contractor
24 or owner-builder in an amount not less than one percent
25 and not exceeding fifteen percent of the amount due the
26 subcontractor, or the owner by subrogation, for the labor and
27 materials supplied, unless the ~~principal~~ general contractor or
28 owner-builder does one or both of the following, in which case
29 no exemplary damages shall be awarded:

30 1. Establishes that all proceeds received from the person
31 making the payment have been applied to the cost of labor or
32 material furnished for the improvement.

33 2. Within fifteen days after receiving notice of nonpayment
34 the ~~principal~~ general contractor or owner-builder gives
35 a bond or makes a deposit with the clerk of the district

1 court, in an amount not less than the amount necessary
2 to satisfy the nonpayment for which notice has been given
3 under this section, and in a form approved by a judge of the
4 district court, to hold harmless the owner or person having
5 the improvement made from any claim for payment of anyone
6 furnishing labor or material for the improvement, other than
7 the ~~principal~~ general contractor or owner-builder.

8 Sec. 18. Section 572.31, Code 2009, is amended to read as
9 follows:

10 **572.31 ~~Co-operative~~ Cooperative and condominium housing.**

11 A lien arising under this chapter as a result of the
12 construction of an apartment house or apartment building which
13 is owned on a ~~co-operative~~ cooperative basis under chapter
14 499A, or which is submitted to a horizontal property regime
15 under chapter 499B, is not enforceable, notwithstanding any
16 contrary provision of this chapter, as against the interests
17 of an owner in an ~~owner-occupied dwelling~~ a unit contained in
18 the apartment house or apartment building acquired in good
19 faith and for valuable consideration, unless a lien statement
20 specifically describing the ~~dwelling~~ unit is filed under
21 section 572.8 within the applicable time period specified in
22 section 572.9, but determined from the date on which the last
23 of the material was supplied or the last of the labor was
24 performed in the construction of that ~~dwelling~~ unit.

25 Sec. 19. Section 572.32, subsection 2, Code 2009, is amended
26 to read as follows:

27 2. In a court action to challenge a mechanic's lien filed on
28 ~~an owner-occupied dwelling~~ a residential construction property,
29 if the person challenging the lien prevails, the court may
30 award reasonable attorney fees and actual damages. If the
31 court determines that the mechanic's lien was filed in bad
32 faith or the supporting affidavit was materially false, the
33 court shall award the owner reasonable attorney fees plus an
34 amount not less than five hundred dollars or the amount of the
35 lien, whichever is less.

1 Sec. 20. Section 572.33, Code 2009, is amended to read as
2 follows:

3 **572.33 Requirement of notification for commercial**
4 **construction.**

5 1. The notification requirements in this section apply only
6 to commercial construction.

7 ~~1.~~ 2. A person furnishing labor or materials to a
8 subcontractor shall not be entitled to a lien under this
9 chapter unless the person furnishing labor or materials does
10 all of the following:

11 a. Notifies the ~~principal~~ general contractor or
12 owner-builder in writing with a one-time notice containing
13 the name, mailing address, and telephone number of the
14 person furnishing the labor or materials, and the name of the
15 subcontractor to whom the labor or materials were furnished,
16 within thirty days of first furnishing labor or materials for
17 which a lien claim may be made. Additional labor or materials
18 furnished by the same person to the same subcontractor for
19 use in the same construction project shall be covered by this
20 notice.

21 b. Supports the lien claim with a certified statement that
22 the ~~principal~~ general contractor or owner-builder was notified
23 in writing with a one-time notice containing the name, mailing
24 address, and telephone number of the person furnishing the
25 labor or materials, and the name of the subcontractor to whom
26 the labor or materials were furnished, within thirty days
27 after the labor or materials were first furnished, pursuant to
28 paragraph "a".

29 ~~2. This section shall not apply to a mechanic's lien on~~
30 ~~single-family or two-family dwellings occupied or used or~~
31 ~~intended to be occupied or used for residential purposes.~~

32 3. Notwithstanding other provisions of this chapter, a
33 ~~principal~~ general contractor or owner-builder shall not be
34 prohibited from requesting information from a subcontractor
35 or a person furnishing labor or materials to a subcontractor

1 regarding payments made or payments to be made to a person
2 furnishing labor or materials to a subcontractor.

3 Sec. 21. NEW SECTION. 572.33A **Liability of owner to general**
4 **contractor — commercial construction.**

5 An owner of a building, land, or improvement upon which
6 a mechanic's lien of a subcontractor may be filed, is not
7 required to pay the general contractor for compensation for
8 work done or material furnished for the building, land, or
9 improvement until the expiration of ninety days after the
10 completion of the building or improvement unless the general
11 contractor furnishes to the owner one of the following:

12 1. Receipts and waivers of claims for mechanics' liens,
13 signed by all persons who furnished material or performed labor
14 for the building, land, or improvement.

15 2. A good and sufficient bond to be approved by the owner,
16 conditioned that the owner shall be held harmless from any
17 loss which the owner may sustain by reason of the filing of
18 mechanics' liens by subcontractors.

19 Sec. 22. NEW SECTION. 572.34 **State construction registry**
20 **— residential construction.**

21 1. A state construction registry is created within the
22 authority. The authority shall adopt rules pursuant to chapter
23 17A for the creation and administration of the registry.

24 2. The state construction registry shall be accessible to
25 the general public through the authority's internet website.

26 3. The registry shall be indexed by owner name, general
27 contractor name, state construction registry number, property
28 address, legal description, and any other identifier considered
29 appropriate as determined by the authority.

30 4. A general contractor, owner-builder, or subcontractor
31 who posts fictitious, forged, or false information to the
32 state construction registry shall be subject to a penalty as
33 determined by the authority by rule in addition to all other
34 penalties and remedies available under applicable law.

35 5. A person may post a correction statement with respect to

1 a record indexed in the state construction registry internet
2 website if the person believes the record is inaccurate or
3 wrongfully posted.

4 6. The authority shall charge and collect fees as
5 established by rule necessary for the administration and
6 maintenance of the registry and the registry's internet
7 website. The authority shall not charge a filing fee for a
8 preliminary notice required pursuant to this chapter that
9 exceeds the cost of sending such notice by certified mail with
10 restricted delivery and return receipt.

11 7. A state construction registry fund is created within
12 the authority. Moneys collected by the authority pursuant to
13 subsection 6 shall be for the maintenance and administration
14 of the state construction registry. The authority shall
15 administer the registry on a revenue neutral basis and shall
16 adjust fees on an annual basis to prevent the accumulation of
17 surplus funds. Section 8.33 does not apply to any moneys in
18 the fund, and notwithstanding section 12C.7, subsection 2,
19 earnings or interest on moneys deposited in the fund shall be
20 credited to the fund.

21 8. Notices may be posted to the state construction registry
22 electronically on the authority's internet website, or may
23 be sent to the authority by United States mail, facsimile
24 transmission, or other alternate method as provided by the
25 authority pursuant to rule.

26 9. The authority shall send a receipt acknowledging a notice
27 submitted by United States mail or facsimile transmission, as
28 provided by the authority by rule.

29 10. Information collected by and furnished to the authority
30 in conjunction with the submission and posting of notices
31 pursuant to sections 572.13A and 572.13B shall be used by the
32 authority solely for the purposes of the state construction
33 registry.

34 11. This section applies only to residential construction
35 properties.

1 Sec. 23. EFFECTIVE DATE. This Act takes effect July 1,
2 2011.