



IOWA HOUSE DEMOCRATS

BILL SUMMARY

Mechanics Liens HF 2233

Status of Bill: House Floor
Committee: Judiciary (13-6)

Lead Democrat: Rep. R. Smith
Floor Manager: Rep. McKean

Research Analyst: Bill Freeland; 281-6311; bill.freeland@legis.iowa.gov

Bill Summary

Mechanic's Lien Amended Amount

Under current law a mechanics lien may be amended by a court, but not to the amount demanded. If a lien is amended as to the amount demanded the lien holder must refile the lien and lose their position of priority of the previously filed lien. In other words, in order to either raise or lower the amount of a mechanics lien by amendment a lien holder would have to move down in the priority of those that are owed money and therefore decrease the likelihood of being paid even on the decreased demand.

HF 2233 would allow a lien statement to be amended to decrease the amount demanded without impacting the lien holder's place on the lien registry. The bill specifies that amending a lien statement to lower the demanded amount would not impact the priority of the lien.

Public Construction Lien Requirements

Under current law, a contractor must provide a certified statement that a general contractor has been notified within 30 days of materials being furnished for a public improvement. Alternatively, a contractor may provide itemized invoices during the progress of the work. A "public improvement" is a project that is paid from taxes or funds under control of a public corporation, except for drainage or levee projects where drainage law provides the requirements.

HF 2233 extends this notification requirement to not only materials, but also for labor performed, services, or transportation on a public project. The notice requirement is expanded to require the name, mailing address, and telephone number of the entity that performed the labor or provided the materials, service, or transportation and the same information for any subcontractors, within 30 days of first performing any of these activities. Additional materials, labor, service, or transportation performed by the same entity is covered by this notice. The statement must be supported with a certified statement that the principal contractor received the notice required.

The bill also makes technical changes to "Early Release of Retained Funds" in the Iowa Code.

Lobbyist Declarations

FOR

HSB 524	David Adelman	For	Sheet Metal Contractors of Iowa	01/26/2018 04:25 PM
HSB 524	Sara Allen	For	Sheet Metal Contractors of Iowa	01/26/2018 04:25 PM
HSB 524	Frank Chiodo	For	Sheet Metal Contractors of Iowa	01/26/2018 04:25 PM
HSB 524	Sandra Conlin	For	Associated Builders & Contractors of Iowa	01/22/2018 02:41 PM
HSB 524	Ben Hammes	For	Master Builders of Iowa	01/18/2018 12:00 PM
HSB 524	Matt Hinch	For	Sheet Metal Contractors of Iowa	01/26/2018 04:25 PM
HSB 524	Jay Iverson	For	Home Builders Association of Iowa	01/19/2018 12:42 PM
HSB 524	Chad Kleppe	For	Master Builders of Iowa	01/16/2018 10:44 AM
HSB 524	Julie Smith	For	Master Builders of Iowa	01/16/2018 01:15 PM
HSB 524	Michael Triplett	For	Greater Iowa Apartment Association	01/19/2018 08:12 AM
HSB 524	Michael Triplett	For	Iowa Alliance of Surety Companies	01/19/2018 08:12 AM

AGAINST

HSB 524	Charlotte Eby	Against	North Central States Regional Council of Carpenters	01/18/2018 09:55 AM
HSB 524	tom fey	Against	Iowa State Building and Construction Trades Council	01/26/2018 11:45 AM
HSB 524	Felicia Hilton	Against	North Central States Regional Council of Carpenters	01/18/2018 09:52 AM
HSB 524	Thomas Jochum	Against	International Union of Operating Engineers-Local 234	01/30/2018 01:36 PM
HSB 524	Thomas Jochum	Against	Central Iowa Building Construction Trades Council	01/30/2018 01:36 PM
HSB 524	James Piazza, Jr.	Against	Heavy Highway Contractors Association	01/23/2018 10:16 AM
HSB 524	Charlie Wishman	Against	Iowa Federation of Labor, AFL-CIO	01/31/2018 09:52 AM