

Hall of the House of Representatives
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of House Bill No. 2490

"AN ACT TO PROVIDE THAT A GENERAL CONTRACTOR IS NOT SUBJECT TO A LIEN
FOR THE MATERIALS OF A SUBCONTRACTOR UNLESS THE VENDOR OF THE
SUBCONTRACTOR'S MATERIALS PROVIDES NOTICE TO THE GENERAL
CONTRACTOR."

Amendment No. 1 to House Bill No. 2490.

Amend House Bill No. 2490 as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 18-44-115(b), pertaining to notice required for mechanics' and materialmen's liens, is amended to read as follows:

(b)(1)(A) It shall be the duty of the contractor to give the owner or his or her authorized agent the notice set out in subsection (c) of this section on behalf of all potential lien claimants under his or her contract prior to the supplying of any materials or fixtures.

(B) Any potential lien claimant may also give notice.

(2) However, no lien may be claimed by any supplier of material or fixtures unless the owner or agent has received at least one (1) copy of the notice, which need not have been given by the particular lien claimant.

(3) If a material supplier has received written notice from the contractor that the contractor is the owner of the real property being improved, a material supplier who sold materials to a subcontractor of the contractor shall not be entitled to a lien against the property unless the material supplier notifies the contractor in writing within ten (10) days of the sale of materials to the subcontractor that the subcontractor has not paid for the materials."



The Amendment was read

By: Representative Thyer
GRH/GRH - 03-10-2005 15:09
GRH341

Chief Clerk

The Amendment was read

By: Representative Thyer
GRH/GRH - 03-17-2005 14:20
GRH341

Chief Clerk