

1 INTERIM STUDY PROPOSAL 2011-102

2 State of Arkansas

As Engrossed: H3/24/11

3 88th General Assembly

A Bill

4 Regular Session, 2011

HOUSE BILL 2204

5
6 By: Representative Sanders

7 Filed with: Interim House Committee on Public Health, Welfare and Labor
8 pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

9
10 AN ACT TO REGULATE THE PERFECTION, FILING, AND
11 ENFORCEMENT OF MECHANIC'S AND MATERIALMEN'S LIENS; TO
12 CLARIFY THE STATE'S LIEN LAWS; AND FOR OTHER
13 PURPOSES.

Subtitle

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16 TO REGULATE THE PERFECTION, FILING, AND
17 ENFORCEMENT OF MECHANIC'S AND
18 MATERIALMEN'S LIENS; AND TO CLARIFY THE
19 STATE'S LIEN LAWS.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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25 *SECTION 1. Arkansas Code § 18-44-115(a)(4), concerning the*
26 *consequences of a residential contractor's failure to give the owner of real*
27 *property notice of a potential lien, is amended to read as follows:*

28 *(4) If a residential contractor fails to give the notice*
29 *required under this subsection, then the residential contractor is barred*
30 *from bringing an action either at law or in equity, including without*
31 *limitation quantum meruit, to enforce any provision of a residential contract*
32 *unless the residential contractor has substantially complied with the notice*
33 *requirements of this subsection.*

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35 */s/Sanders*
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Referred by the Arkansas House of Representatives
Prepared by: DLP/VJF