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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2319 Session of  
2014

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INTRODUCED BY W. KELLER, MCGEEHAN, CALTAGIRONE, O'BRIEN, SNYDER,  
MUNDY, KOTIK, MILLARD, PARKER, DONATUCCI, McCARTER, HARKINS,  
DeLUCA, COHEN, MULLERY, McNEILL AND FRANKEL, JUNE 6, 2014

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REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, JUNE 6, 2014

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AN ACT

1 Amending the act of August 24, 1963 (P.L.1175, No.497), entitled  
2 "An act to codify, amend, revise and consolidate the laws  
3 relating to mechanics' liens," further providing for  
4 definitions.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Section 201(5) of the act of August 24, 1963  
8 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963,  
9 amended June 29, 2006 (P.L.210, No.52), is amended to read:

10 Section 201. Definitions.--The following words, terms and  
11 phrases when used in this act shall have the meaning ascribed to  
12 them in this section, except where the context clearly indicates  
13 a different meaning:

14 \* \* \*

15 (5) "Subcontractor" means one who, by contract with the  
16 contractor, or pursuant to a contract with a subcontractor in  
17 direct privity of a contract with a contractor, express or  
18 implied, erects, constructs, alters or repairs an improvement or

1 any part thereof; or furnishes labor, skill or superintendence  
2 thereto; or supplies or hauls materials, fixtures, machinery or  
3 equipment reasonably necessary for and actually used therein; or  
4 is a fund governed or regulated by the Employee Retirement  
5 Income Security Act of 1974 (Public Law 93-406, 88 Stat. 829)  
6 for the benefit of persons furnishing labor or materials to an  
7 improvement; or any or all of the foregoing, whether as  
8 superintendent, builder or materialman. The term does not  
9 include an architect or engineer who contracts with a contractor  
10 or subcontractor, or a person who contracts with a materialman  
11 or a person who contracts with a subcontractor not in direct  
12 privity of a contract with a contractor.

13 \* \* \*

14 Section 2. This act shall take effect in 60 days.