

2nd Sub. S.B. 0119

PRECONSTRUCTION AND CONSTRUCTION LIENS AMENDMENTS

Senator **Scott D. Sandall** proposes the following amendments:

1. Page 6, Line 173 through Page 7, Line 181:

173 not attach to the fee simple interest.

174 (c) Notwithstanding Subsection (4)(b), ~~{a preconstruction or construction lien may~~
175 ~~attach to the lesser interest of an owner who possesses an interest in the project property that is~~
176 ~~less than fee simple and to the fee simple interest of the person who owns the fee simple~~
177 ~~interest in the project property, if the person who provides preconstruction service or~~
178 ~~construction work can demonstrate that the improvement underlying the preconstruction or~~
179 ~~construction lien:}~~

a preconstruction or construction lien may attach to the fee simple interest in the project property, if the person who provides preconstruction service or construction work can demonstrate that the preconstruction service or construction work:

180 (i) was ~~{performed at the written instance of}~~ authorized by the person possessing the fee
simple

181 interest in the project property; and