



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
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February 9, 2010

Mr. Speaker:

The Business and Labor Committee reports a favorable recommendation on **H.B. 126**, STATE CONSTRUCTION REGISTRY AMENDMENTS, by Representative R. C. Webb, with the following amendments:

1. *Page 3, Lines 68 through 71:*

- 68 (i) for a government project, the unique project number assigned by the  
{ designated  
69 agent} governmental entity undertaking the project ;  
70 (ii) for a permitted project {;} ;  
(A) the number of the building permit issued for the project;  
71 and  
(B) the name of the county or municipality that issued the building permit;  
and

2. *Page 8, Lines 226 through 228:*

- 226 (1) (a) (i) { ~~(A) For a construction project where a building permit is issued to~~  
an original  
227 contractor or owner-builder, no later than 15 days after the issuance of the building  
permit:  
228 ~~—(f) the~~} A local government entity issuing { ~~that~~ } a building permit  
for a private project shall , no later than 15 days after issuing the permit, input  
the building

3. *Page 8, Lines 230 through 235:*

- 230 by way of the Internet or computer modem or by any other means { ~~;~~ } ;  
231 { ~~(f) the original contractor, owner, or owner-builder may file a notice of~~  
232 commencement with the database whether or not a building permit is issued or a  
notice of  
233 commencement is filed under Subsection (1)(a)(i)(A)(f). }

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234            ~~{(B) The information submitted under Subsection (1)(a)(i)(A) forms the basis~~  
                  of a  
235    ~~notice of commencement.}~~

4. Page 8, Line 243 through Page 9, Line 246:

243            (b) No later than 15 days after commencement of physical construction work at  
                  the government  
244    project site, the original contractor, owner, or owner-builder ~~{may}~~ shall file a  
                  notice of  
245    commencement with the database ~~{whether or not a building permit is issued or a~~  
                  notice of  
246    ~~commencement is filed under Subsection (1)(a)}~~ .

5. Page 9, Lines 248 through 253:

248    commencement with the designated agent [~~prior to~~] within ~~{either of the time frames-~~  
249    established in Subsections (1)(a) and (b)} the time frame established in Subsection  
                  (1)(b) .  
250            ~~{(d) An owner of construction or an original contractor may file a notice of~~  
251    ~~commencement with the designated agent within either of the time [prescribed by]~~  
                  frames  
252    ~~established in Subsections (1)(a) and (b).}~~  
253            ~~{(e)}~~ (d) (i) If duplicate notices of commencement are filed, they shall be  
                  combined into one

6. Page 9, Line 257:

257    Subsection (1) ~~{(e)}~~ (d) (i) if the earlier filed notice of commencement is timely  
                  filed.

7. Page 9, Line 260:

260            ~~{(f)}~~ (e) (i) The designated agent shall assign each [~~construction~~]  
                  government project a

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8. Page 9, Line 269:

269            ~~{(g)}~~    {(f)}    A notice of commencement is effective only as to any labor,  
                  service, equipment,

9. Page 10, Lines 291 through 292:

291            (3) If a notice of commencement for a ~~{-construction-}~~ government project  
                  is not filed within the time  
292            set forth in ~~{-Subsections (1)(a) and-}~~ Subsection (1) (b), the following do not  
                  apply:

10. Page 12, Lines 344 through 345:

344            ~~subcontractor's work or the~~ subcontractor's commencement of furnishing labor,  
                  ~~service, equipment, or material~~  
345            ~~to the private project~~ , whether or not a local government entity has submitted  
                  building permit information to the database under Subsection 38-1-31(1)(a) ; or

11. Page 12, Lines 352 through 353:

352            commencement.  
                  {(ii) If a local government entity has not submitted building permit information  
                  to the database at the time a subcontractor for a private project files a preliminary  
                  notice with the database under Subsection (2)(a)(i)(A), the subcontractor shall  
                  include in the preliminary notice:  
                  (A) the name of the county in which the property on which the project occurs or  
                  will occur is located; and  
                  (B) the tax identification or parcel number of that property.  
353            ~~{(ii)}~~    {(iii)}    A preliminary notice filed within the period described in  
                  Subsection ~~{(1)}~~(2)(a)(i) is

12. Page 12, Line 357:

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357            {~~(iii)~~}    (iv) (A) If more than one notice of commencement is filed for a  
                  government project, a

13. Page 13, Line 373:

373    subcontractor on a private project who fails to file [the] a preliminary notice[ ~~that~~  
         ~~person~~] , **whether or not a local government entity has submitted building permit**  
         **information to the database as required in Subsection 38-1-31(1)(a),**    may

Respectfully,

James A. Dunnigan  
Committee Chair

Voting: 12-1-1

3 HB0126.HC1.WPD 2/9/10 4:57 pm bhowe/BRH RHR/AMN

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