

# H.B. 126

## STATE CONSTRUCTION REGISTRY AMENDMENTS

Representative **R. Curt Webb** proposes 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 ~~{1}~~ ;  
(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 ~~{; or}~~ ;  
231 ~~{(H) 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)(I).}  
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 Subection (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

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            ~~{(iii)}~~    (iii)    A preliminary notice filed within the period described in Subsection ~~{(1)}~~(2)(a)(i) is

12. Page 12, Line 357:

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