

2nd Sub. H.B. 260 MECHANICS' LIENS REVISIONS

Senator **Scott K. Jenkins** proposes the following amendments:

1. *Page 1, Line 23:*

23 notice on a private project from claiming a mechanics' lien;

► requires a construction lender to file a notice with the database of a notice of default relating to a construction loan;

2. *Page 6, Line 168:*

168 with the database under Section 38-1-30.5, 38-1-31.5, 38-1-32, 38-1-32.5, **38-1-32.7**, 38-1-33, or 38-1-40;

3. *Page 23, Line 682:*

682 preliminary notice on a private project under Section 38-1-32.

Section 12. Section 38-1-32.7 is enacted to read:

38-1-32.7. Notice concerning construction loan default.

(1) As used in this section, "construction lender" means a lender that is required to file a notice of construction loan under Section 38-1-30.5 for a private project.

(2) Within five business days after a notice of default is filed for recording under Section 57-1-24 with respect to a trust deed on the project property securing a construction loan, the construction lender shall file a notice with the database.

(3) A notice under Subsection (2) shall:

(a) include:

(i) the information required to be included in a notice of construction loan under Subsections 38-1-30.5(3)(a), (b), (c), (d), and (e); and

(ii) the entry number of the notice of construction loan;

(b) state that a notice of default with respect to the construction loan has been recorded; and

(c) state the date that the notice of default was recorded.