



House of Representatives *State of Utah*

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January 29, 2004

Mr. Speaker:

The Business and Labor Committee reports a favorable recommendation on **H.B. 219**, CONSTRUCTION BOND AMENDMENTS, by Representative M. Morley, with the following amendments:

1. *Page 1, Lines 16 through 18:*

- 16 ▶ deletes exemption related to the Residence Lien Restriction and Lien Recovery
17 Fund Act; ~~[[and]]~~ =
▶ addresses the award of attorneys' fees; and
18 ▶ makes technical changes.

2. *Page 2, Lines 47 through 50:*

- 47 (d) (i) "Residential construction" means the construction, alteration, or repair of:
48 (A) single family detached housing; or
49 (B) multifamily attached housing up to and including a ~~[[duplex]]~~ fourplex .
50 (ii) "Residential construction" includes rental housing.

3. *Page 4, Lines 99 through 100:*

- 99 (3) In an action for failure to obtain a bond, the court ~~[[may]]~~ shall award
reasonable attorneys'
100 fees to the prevailing party. These attorneys' fees shall be taxed as costs in the action.

4. Page 2, Line 38: Delete "a" and insert "an original"
5. Page 2, Line 41: After "contracting" insert "with the original contractor"
6. Page 2, Line 51: After "any" insert "original"
7. Page 2, Line 56: After "award of the" insert "original"

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8. Page 3, Line 64: After "the" insert "original"

Respectfully,

Katherine M. Bryson
Committee Chair

Voting: 12-0-1

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