

# S.B. 230

## CONSTRUCTION PAYMENT AMENDMENTS

SENATE FLOOR AMENDMENTS

AMENDMENT 1

MARCH 3, 2009 9:15 AM

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Senator **Curtis S. Bramble** proposes the following amendments:

1. *Page 6, Lines 153 through 159:*

153 (1) (a) Upon final completion of a construction project and in accordance with Section  
154 38-1-40:

155 (i) an owner of a construction project or an original contractor ~~{+}~~ **may** ~~{+}~~ ~~{shall}~~ file a  
notice

156 of completion with the database; ~~and~~ or

157 (ii) a lender that has provided financing for the construction project, a surety that has  
158 provided bonding for the construction project, or a title company issuing a title insurance

159 policy on the construction project, ~~{+}~~ **may** ~~{+}~~ ~~{shall}~~ file a notice of completion.

2. *Page 9, Lines 260 through 261:*

260 contractor, or subcontractor to post adequate security with the court sufficient to assure timely

261 payment of the ~~{construction project}~~ amount owed to the person seeking adequate assurance .  
including:

3. *Page 10, Lines 277 through 278:*

277 (7) A court shall award reasonable attorney fees to a prevailing party for an action ~~{upon~~

278 a payment bond} brought under this section.