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| PREVAILED | Roll Call No. _____ |
| FAILED | Ayes _____ |
| WITHDRAWN | Noes _____ |
| RULED OUT OF ORDER | |

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1283 be amended to read as follows:

- 1 Page 4, between lines 6 and 7, begin a new paragraph and insert:
- 2 "SECTION 2. IC 32-8-3-3, AS AMENDED BY P.L.53-1999,
- 3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2002]: Sec. 3. (a) Except as provided in subsection (b), a
- 5 person who wishes to acquire a lien upon any property, whether the
- 6 claim is due or not, shall file in the recorder's office of the county at
- 7 any time within ~~ninety sixty (90)~~ (60) days after performing labor or
- 8 furnishing materials or machinery described in section 1 of this chapter
- 9 a sworn statement in duplicate of the person's intention to hold a lien
- 10 upon the property for the amount of the claim.
- 11 (b) This subsection applies to a person that performs labor or
- 12 furnishes materials or machinery described in section 1 of this chapter
- 13 related to a Class 2 structure (as defined in IC 22-12-1-5) or an
- 14 improvement on the same real estate auxiliary to a Class 2 structure (as
- 15 defined in IC 22-12-1-5). Any person who wishes to acquire a lien
- 16 upon any property, whether the claim is due or not, shall file in the
- 17 recorder's office of the county at any time within sixty (60) days after
- 18 performing labor or furnishing materials or machinery described in
- 19 section 1 of this chapter, a sworn statement in duplicate of the person's
- 20 intention to hold a lien upon the property for the amount of the claim.
- 21 (c) The statement under subsection (a) or (b) must specifically set
- 22 forth:
- 23 (1) the amount claimed;
- 24 (2) the name and address of the claimant and the name of the

- 1 owner;
 2 (3) the latest address of the owner as shown on the property tax
 3 records of the county; and
 4 (4) the legal description, street and number, if any, of the lot or
 5 land on which the house, mill, manufactory or other buildings,
 6 bridge, reservoir, system of waterworks or other structure may
 7 stand or be connected with or to which it may be removed.

8 The name of the owner and legal description of the lot or land will be
 9 sufficient if they are substantially as set forth in the latest entry in the
 10 transfer books described in IC 6-1.1-5-4 of the county auditor or, if
 11 IC 6-1.1-5-9 applies, the transfer books of the township assessor at the
 12 time of filing of the notice of intention to hold a lien. The recorder shall
 13 mail first class one (1) of the duplicates to the owner named in the
 14 notice within three (3) business days after recordation and post records
 15 as to the date of this action. The notice shall be addressed to the latest
 16 address of the owner as specifically set out in the sworn statement of
 17 the person intending to hold a lien upon the property. The recorder
 18 shall be entitled to a fee of two dollars (\$2) to be collected from the lien
 19 claimant for each notice that is mailed.

20 (d) The statement required by subsection (a) or (b) may be verified
 21 and filed on behalf of a client by an attorney registered with the clerk
 22 of the supreme court as an attorney in good standing under the
 23 requirements of the supreme court."

24 Page 6, after line 12, begin a new paragraph and insert:

25 "SECTION 6. [EFFECTIVE JULY 1, 2002] **IC 32-8-3-3, as**
 26 **amended by this act, applies only to liens created after June 30,**
 27 **2002."**

28 Renumber all SECTIONS consecutively.

(Reference is to HB 1283 as printed January 31, 2002.)

Representative Burton