

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 710 Session of
2011

INTRODUCED BY GODSHALL, BOYD, V. BROWN, CLYMER, FABRIZIO,
HARPER, KORTZ, MARSICO, MILLARD, MILLER, MILNE, O'NEILL,
SAYLOR, TRUITT, VULAKOVICH AND PERRY, FEBRUARY 16, 2011

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, FEBRUARY 16, 2011

AN ACT

1 Amending the act of August 24, 1963 (P.L.1175, No.497), entitled
2 "An act to codify, amend, revise and consolidate the laws
3 relating to mechanics' liens," further providing for right to
4 lien and amount.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 301 of the act of August 24, 1963
8 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, is
9 amended to read:

10 Section 301. Right to Lien; Amount.--[Every]

11 (a) General Rule. Except as provided under subsection (b),
12 every improvement and the estate or title of the owner in the
13 property shall be subject to a lien, to be perfected as herein
14 provided, for the payment of all debts due by the owner to the
15 contractor or by the contractor to any of his subcontractors for
16 labor or materials furnished in the erection or construction, or
17 the alteration or repair of the improvement, provided that the
18 amount of the claim, other than amounts determined by

1 apportionment under section 306(b) of this act, shall exceed
2 five hundred dollars (\$500).

3 (b) Subcontractor on Residential Property. Notwithstanding
4 any other provision of this act, if the contractor has been paid
5 in full a subcontractor may not file a claim against residential
6 property unless the owner provides a written waiver to the
7 subcontractor to file a claim.

8 Section 2. The amendment of section 301 of the act shall
9 apply to contracts entered into on or after the effective date
10 of this section.

11 Section 3. This act shall take effect in 60 days.