
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1697 Session of
2013

INTRODUCED BY TRUITT, MILLARD, WATSON, QUINN, COHEN AND
LAWRENCE, SEPTEMBER 24, 2013

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, SEPTEMBER 24, 2013

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
4 definitions.

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

7 Section 1. Section 201(4) and (5) of the act of August 24,
8 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of
9 1963, amended June 29, 2006 (P.L.210, No.52), are amended to
10 read:

11 Section 201. Definitions.--The following words, terms and
12 phrases when used in this act shall have the meaning ascribed to
13 them in this section, except where the context clearly indicates
14 a different meaning:

15 * * *

16 (4) "Contractor" means one who, by contract with the owner,
17 express or implied, erects, constructs, alters or repairs an
18 improvement or any part thereof or furnishes labor, skill or
19 superintendence thereto; or supplies or hauls materials,

1 fixtures, machinery or equipment reasonably necessary for and
2 actually used therein; or any or all of the foregoing, whether
3 as superintendent, builder [or], materialman, architect,
4 engineer or other licensed design professional. [The term also
5 includes an architect or engineer who, by contract with the
6 owner, express or implied, in addition to the preparation of
7 drawings, specifications and contract documents also
8 superintends or supervises any such erection, construction,
9 alteration or repair.]

10 (5) "Subcontractor" means one who, by contract with the
11 contractor, or pursuant to a contract with a subcontractor in
12 direct privity of a contract with a contractor, express or
13 implied, erects, constructs, alters or repairs an improvement or
14 any part thereof; or furnishes labor, skill or superintendence
15 thereto; or supplies or hauls materials, fixtures, machinery or
16 equipment reasonably necessary for and actually used therein; or
17 any or all of the foregoing, whether as superintendent, builder
18 [or], materialman, architect, engineer or other licensed design
19 professional. The term does not include [an architect or
20 engineer who contracts with a contractor or subcontractor, or] a
21 person who contracts with a materialman or a person who
22 contracts with a subcontractor not in direct privity of a
23 contract with a contractor.

24 * * *

25 Section 2. This act shall take effect in 60 days.