

## 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

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

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

25 \* \* \*

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