PRINTER'S NO. 468

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 430 Session of 2015

INTRODUCED BY TRUITT, DUSH, COHEN, KILLION, MILLARD, LAWRENCE, WATSON AND MURT, FEBRUARY 10, 2015

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, FEBRUARY 10, 2015

AN ACT

Amending the act of August 24, 1963 (P.L.1175, No.497), entitled "An act to codify, amend, revise and consolidate the laws relating to mechanics' liens," in definitions, further providing for definitions.

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

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

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

* * *

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

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

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

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