

FIRST REGULAR SESSION

HOUSE BILL NO. 495

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROARK .

Read 1st time February 9, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1366L.011

AN ACT

To repeal section 429.010, RSMo, and to enact in lieu thereof one new section relating to mechanics liens.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 429.010, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 429.010, to read as follows:

429.010. Any person who shall do or perform any work or labor upon, or furnish any material, fixtures, engine, boiler or machinery for any building, erection or improvements upon land, or for repairing the same, **furnish or supply laborers, machinery, tools, or equipment used in the construction of any building, erection, or improvement upon land**, or furnish and plant trees, shrubs, bushes or other plants or provides any type of landscaping goods or services or who installs outdoor irrigation systems under or by virtue of any contract with the owner or proprietor thereof, or his agent, trustee, contractor or subcontractor, or without a contract if ordered by a city, town, village or county having a charter form of government to abate the conditions that caused a structure on that property to be deemed a dangerous building under local ordinances pursuant to section 67.410, RSMo, upon complying with the provisions of sections 429.010 to 429.340, shall have for his work or labor done, or materials, fixtures, engine, boiler, machinery, trees, shrubs, bushes or other plants furnished, or any type of landscaping goods or services provided, a lien upon such building, erection or improvements, and upon the land belonging to such owner or proprietor on which the same are situated, to the extent of three acres; or if such building, erection or improvements be upon any lot of land in any town, city or village, or if such building, erection or improvements be for manufacturing, industrial or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 commercial purposes and not within any city, town or village, then such lien shall be upon such
18 building, erection or improvements, and the lot, tract or parcel of land upon which the same are
19 situated, and not limited to the extent of three acres, to secure the payment of such work or labor
20 done, or materials, fixtures, engine, boiler, machinery, trees, shrubs, bushes or other plants or any
21 type of landscaping goods or services furnished, or outdoor irrigation systems installed; except
22 that if such building, erection or improvements be not within the limits of any city, town or
23 village, then such lien shall be also upon the land to the extent necessary to provide a roadway
24 for ingress to and egress from the lot, tract or parcel of land upon which such building, erection
25 or improvements are situated, not to exceed forty feet in width, to the nearest public road or
26 highway. Such lien shall be enforceable only against the property of the original purchaser of
27 such plants unless the lien is filed against the property prior to the conveyance of such property
28 to a third person.