

SCS SB 302 -- STATUTORY LIENS AGAINST REAL ESTATE

SPONSOR: Loudon (Pratt)

COMMITTEE ACTION: Voted "do pass by consent" by the Special Committee on Urban Issues by a vote of 5 to 0.

This substitute revises the definition of "commercial real estate" by removing real estate on which no buildings or structures are located and explicitly specifies that commercial real estate will include an unimproved real estate of any zoning classification, other than agricultural or horticultural real estate, being purchased for development or subdivision.

The six-month statute of limitations for filing a lien will apply to the labor portion regarding the use of rental equipment while the 60-day time frame will apply to the rental equipment value. The five-day written notice requirement for a lien on the use of rental equipment will not apply to the labor provided by the person using the equipment.

FISCAL NOTE: No impact on state funds in FY 2008, FY 2009, and FY 2010.

PROPONENTS: Supporters say the bill clarifies what property is subject to lien for work done on the property and the rental machinery involved.

Testifying for the bill were Senator Loudon; Construction Employers Coalition; Missouri Association of Realtors; and American Subcontractors Association of Missouri.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that the language should be more consistent.

Testifying on the bill was Missouri Land Title Association.