

HB 1479 -- SECURITY INSTRUMENTS FOR REAL PROPERTY

SPONSOR: Dugger

This bill specifies that the security instrument or any assignment or refinancing of the security instrument securing the purchase price of the real property or any improvements thereon must have priority over any subsequently filed or recorded interest, lien, or encumbrance upon the property except:

- (1) Liens for real estate taxes and similar governmental claims asserted against the real property;
- (2) Interest, liens, or encumbrances arising from an instrument recorded prior to the security instrument to the extent that the claim and priority are authorized by statute; and
- (3) Interests, liens, or encumbrances for the provision of labor, services, or materials which were rendered or installed on the real property prior to the recording of the security instrument that benefitted the real property and of which the holder of the debt secured by the security agreement had actual prior notice.