

SESSION OF 2003

**SUPPLEMENTAL NOTE ON  
HOUSE SUBSTITUTE FOR HOUSE BILL NO. 2064**

As Amended by Senate Committee on  
Commerce

**Brief\***

House Substitute for HB 2064 amends the mechanics lien law regarding the filing and recording of a lien on non-residential property according to the following provisions:

- A notice of extension must be filed within four months since last furnishing labor, equipment, materials, or supplies to the job site. A notice of extension form is included in the bill.
- If a notice of extension is properly filed, then a contractor, supplier, or other person providing materials or labor can file a lien within five months.
- The same provisions regarding a notice of extension and the extension of time to five months applies to subcontractors in other than residential property situations.

**Background**

Conferees appearing in support of the original bill, which contained a six-month extension of time for other than residential property, included individuals representing Western Extralite, the Alliance of Professional Specialty Contractors, Building Erection Services Company, National Association of Credit Managers, Kansas Ready Mix Concrete Association, Shawnee Rock Company, Southwestern Association and Electric League, and an attorney from Kansas City.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/klrd>

Opponents to the bill, as drafted, included conferees who testified on behalf of Associated General Contractors, Ferrell Construction, Kansas Land Title Association, and Kansas Building Industry Association. Written testimony in opposition to the bill was received from the owner of Central Mechanical Wichita. Concern for the bill was expressed on behalf of the Kansas Bankers Association.

The substitute bill represents a compromise position reached by the various parties.

The Senate Committee amended the substitute bill to make a number of technical corrections and to provide a definition of "residential property" for purposes of the bill.

The fiscal note on the original bill indicates no fiscal effect.