

SB 513 -- REAL ESTATE BROKER LIENS

SPONSOR: Dempsey (Diehl)

COMMITTEE ACTION: Voted "do pass" by the Committee on Judiciary by a vote of 10 to 4.

Currently, real estate brokers must record a lien within 90 days after the tenant takes possession of the leased property for the lien to be valid. This bill requires the broker to record the lien within 90 days after the date of occupancy or the date the rental began as specified in the lease, whichever is later.

FISCAL NOTE: No impact on state funds in FY 2010, FY 2011, and FY 2012.

PROPOSERS: Supporters say that the bill will correct a problem real estate brokers have when liens don't justly attach because of an agreement to defer rent payments for a long period of time as an enticement for tenants.

Testifying for the bill was Senator Dempsey.

OPPOSERS: There was no opposition voiced to the committee.