

HOUSE AMENDMENT NO.

Offered by

_____ of _____

AMEND House Committee Substitute for House Bill No. 2058, Pages 3 and 4, Section 429.016, Lines 70 to 94, by deleting all of said lines and inserting in lieu thereof the following:

"11. (1) The owner of residential real property upon which a claimant is to perform or provide work, labor, or materials, or such owner's designated agent, shall provide any claimant with the name of the current record property owner and the deed (which deed shall include the legal description of the subject property) by which such owner of record obtained the subject property, within five calendar days after the owner, or its designated agent, receives a written request for the same from any claimant. The claimant may further request a copy of a survey of the subject property, a copy of the subdivision or other plat of the subject property, or such other information, document, or instrument, as may allow the claimant to identify the subject property with reasonable certainty, but the owner or its agent shall not be required to provide the same.

(2) If any owner, or its designated agent, fails to comply with the requirements of this section, the requesting claimant shall be entitled to receive, as its sole and exclusive remedy for failure to comply with this section, the claimant's actual and reasonable costs (excluding attorney fees) to obtain a legal description of the subject property necessary for the claimant to record its notice of rights. The costs described in this section shall be lienable expenses.

(3) Nothing herein, including, without limitation, the claimant receiving a legal description with an error, omission, or inaccuracy in the content or the owner or its designated agent's failure to otherwise comply with this section, shall relieve any claimant of its obligation to record a notice of rights in full compliance with this section in order to retain its mechanic's lien rights as to any residential real property."; and

Further amend said title, enacting clause and intersectional references accordingly.