HOUSE DOCKET, NO. 1222 FILED ON: 1/20/2011

HOUSE . . . . . No. 1367

The Commonwealth of Massachusetts

PRESENTED BY:

Christopher N. Speranzo

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to notice of contract, dissolution of lien.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Christopher N. Speranzo	*3rd Berkshire*

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HOUSE . . . . . No. 1367

By Mr. Speranzo of Pittsfield, a petition (accompanied by bill, House, No. 1367) of Christopher N. Speranzo relative to contractor and subcontractor liens. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1567* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to notice of contract, dissolution of lien.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 254of the General Laws, as appearing in the most recent edition is hereby amended by striking out section 8 and inserting in place thereof the following section:-

Section 8. Liens under sections two and four shall be dissolved unless the contractor, subcontractor, or some person claiming by, through or under them, not later than the earliest of: (i) ninety days after the filing or recording of the notice of substantial completion under section two A; (ii) one hundred and twenty days after the filing or recording of the notice of termination under section two B; (iii) one hundred and twenty days after the last day a person,

entitled to enforce a lien under section two or anyone claiming by, through or under him, performed or furnished labor or material or both labor and materials or furnished rental equipment, appliances or tools; or (iv), with respect to any building, structure or other

11 improvement to real property consisting only of at least one but not more than four dwelling
12 units, two years after the filing or recording of the Notice of Contract, shall file or record in the
13 registry of deeds in the county or district where the land lies a statement, giving a just and true
14 account of the amount due or to become due him, with all just credits, a brief description of the
15 property, and the names of the owners set forth in the notice of contract. A lien under section one
16 shall be dissolved unless a like statement, giving the names of the owner of record at the time the
17 work was performed or at the time of filing the statement, is filed or recorded in the appropriate
18 registry of deeds within the ninety days provided in said section. Nothing in this section shall
19 prohibit the filing or recording of a statement under this section prior to the filing or recording of
20 the notices under section two A or two B.