
By: **Delegate Shank**

Introduced and read first time: February 11, 2005

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property - Mechanics' Liens - Professional Services**

3 FOR the purpose of establishing that work done for or about a building, for purposes
4 of establishing a mechanic's lien, includes certain professional services; and
5 generally relating to mechanics' liens.

6 BY repealing and reenacting, with amendments,
7 Article - Real Property
8 Section 9-102
9 Annotated Code of Maryland
10 (2003 Replacement Volume and 2004 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Real Property**

14 9-102.

15 (a) Every building erected and every building repaired, rebuilt, or improved to
16 the extent of 15 percent of its value is subject to establishment of a lien in accordance
17 with this subtitle for the payment of all debts, without regard to the amount,
18 contracted for work done for or about the building and for materials furnished for or
19 about the building, including the drilling and installation of wells to supply water, the
20 construction or installation of any swimming pool or fencing, the sodding, seeding or
21 planting in or about the premises of any shrubs, trees, plants, flowers or nursery
22 products, the grading, filling, landscaping, and paving of the premises, THE
23 PROVISION OF BUILDING OR LANDSCAPE ARCHITECTURAL SERVICES, ENGINEERING
24 SERVICES, OR LAND SURVEYING SERVICES, and the leasing of equipment, with or
25 without an operator, for use for or about the building or premises.

26 (b) If the owner of land or the owner's agent contracts for the installation of
27 waterlines, sanitary sewers, storm drains, or streets to service all lots in a
28 development of the owner's land, each lot and its improvements, if any, are subject, on
29 a basis pro rata to the number of lots being developed, to the establishment of a lien

1 as provided in subsection (a) of this section for all debts for work and material in
2 connection with the installation.

3 (c) Any machine, wharf, or bridge erected, constructed, or repaired within the
4 State may be subjected to a lien in the same manner as a building is subjected to a
5 lien in accordance with this subtitle.

6 (d) However, a building or the land on which the building is erected may not
7 be subjected to a lien under this subtitle if, prior to the establishment of a lien in
8 accordance with this subtitle, legal title has been granted to a bona fide purchaser for
9 value.

10 (e) The filing of a petition under § 9-105 shall constitute notice to a purchaser
11 of the possibility of a lien being perfected under this subtitle.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
13 effect October 1, 2005.