

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 1188

(Delegate Shank)

Environmental Matters

Judicial Proceedings

Real Property - Mechanics' Liens - Professional Services

This bill provides that a mechanic's lien may be established for the provision of building or landscape architectural services, engineering services, or land surveying services.

Fiscal Summary

State Effect: The bill would not materially affect the workload of the Judiciary.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: A building erected or repaired, rebuilt, or improved to the extent of 15% of its value is subject to the establishment of a lien for the payment of all debts contracted for work done and for materials furnished, including the drilling and installation of wells to supply water; the construction or installation of any swimming pool or fencing; the sodding, seeding, or planting of shrubbery or other nursery products; the grading, filling, landscaping, and paving of the premises; and the leasing of equipment for use about the building or premises.

In order to establish a mechanic's lien, a person must file proceedings in the circuit court for the county where the land or any part of it is located within 180 days after the work has been finished or the materials furnished. The petition must at least state the name and address of the petitioner, the name and address of the owner, specified information about

the work done or the materials furnished, a description of the land, and if the petitioner was a subcontractor, facts showing that the required notice was sent to the owner.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Office of the Attorney General (Consumer Protection Division), Department of Legislative Services

Fiscal Note History: First Reader - March 7, 2005
n/jr

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