

HOUSE BILL NO. 253

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE RAMRAS

Introduced: 1/8/10
Referred: Prefiled

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the time periods affecting certain liens related to providing labor,**
2 **material, service, or equipment to real property, including buildings and other**
3 **improvements."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** AS 34.35.068(a) is amended to read:

6 (a) If a notice of completion is not recorded by the owner as provided in
7 AS 34.35.071, a claim of lien shall be recorded not later than 120 [90] days after the
8 claimant

9 (1) completes the construction contract; or

10 (2) ceases to furnish labor, material, services, or equipment for the
11 construction, alteration, or repair of the owner's property.

12 *** Sec. 2.** AS 34.35.090 is amended to read:

13 **Sec. 34.35.090. Payment to contractor.** A payment by the owner of a building
14 or structure to a prime contractor or subcontractor, made before 120 [90] days from

1 the completion of the building, is not valid to defeat or discharge a lien created by
2 AS 34.35.050 - 34.35.120 in favor of other claimants, unless the payment is
3 distributed among the other claimants. If a payment is distributed in part only, then the
4 payment is valid only to the extent it is distributed.

5 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
6 read:

7 **APPLICABILITY.** The amended time period provided by AS 34.35.068(a), as
8 amended by sec. 1 of this Act, and AS 34.35.090, as amended by sec. 2 of this Act, applies to
9 a lien for labor, material, service, or equipment if the labor, material, service, or equipment is
10 furnished to a project, as that term is defined in AS 34.35.120, on or after the effective date of
11 this Act.