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

- "An Act relating to the time periods affecting certain liens related to providing labor,
 material, service, or equipment to real property, including buildings and other
 improvements."
 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
 * 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
- AS 34.35.071, a claim of lien shall be recorded not later than <u>120</u> [90] days after the
- 8 claimant9 (1) completes the construction contract; or

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

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- 10 (2) ceases to furnish labor, material, services, or equipment for the
- 11 construction, alteration, or repair of the owner's property.
- Sec. 34.35.090. Payment to contractor. A payment by the owner of a building

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.

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

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