

By: Puente

H.B. No. 208

A BILL TO BE ENTITLED

AN ACT

relating to persons who may obtain a mechanic's lien on real property.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 53.021, Property Code, is amended by adding Subsection (e) to read as follows:

(e) A person who performs labor as part of, or who furnishes labor or materials for, the demolition of a structure on real property under or by virtue of a written contract with the owner of the property or the owner's agent, trustee, receiver, contractor, or subcontractor has a lien on the property.

SECTION 2. Section 53.124(e), Property Code, is amended to read as follows:

(e) The time of inception of a lien that is created under Section 53.021(c), ~~or~~ (d), or (e) is the date of recording of an affidavit of lien under Section 53.052. The priority of a lien claimed by a person entitled to a lien under Section 53.021(c), ~~or~~ (d), or (e) with respect to other mechanic's liens is determined by the date of recording. A lien created under Section 53.021(c), ~~or~~ (d), or (e) is not valid or enforceable against a grantee or purchaser who acquires an interest in the real property before the time of inception of the lien.

SECTION 3. This Act takes effect September 1, 2003, and applies only to labor performed or labor or materials furnished

1 under or by virtue of a contract entered into on or after that date.  
2 Labor performed or labor or materials furnished under or by virtue  
3 of a contract entered into before that date are governed by the law  
4 in effect immediately before that date, and that law is continued in  
5 effect for that purpose.