
DIGEST

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HB 337 Original

2020 Regular Session

Gregory Miller

Abstract: Provides relative to a materialman preserving a claim against a subcontractor under public contracts.

Present law authorizes a claimant to file a sworn statement of the amount due him with the governing authority having the work done and record it in the office of the recorder of mortgages for the parish in which the work is done. Present law requires the claimant to file a sworn statement after the maturity of his claim and within 45 days after the recordation of acceptance of the work by the governing authority, or within 45 days of notice of default of the contractor or subcontractor.

Proposed law changes present law from permissible to mandatory.

Present law prohibits a materialman from filing a privilege or lien on immovable property if he has not complied with applicable notice and recordation requirements.

Proposed law modifies present law by prohibiting a materialman from asserting a claim or privilege if he has not complied with the notice and recordation requirements.

(Amends R.S. 38:2242(B) and (F) and 2247)