



SPONSOR: Rep. Baumbach & Sen. Sokola
Rep. Gray; Sen. Lavelle

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 423

AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MECHANICS' LIEN.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Subchapter I, Chapter 27, of Title 25 of the Delaware Code by making deletions as shown by
2 strike through and insertions as shown by underline as follows:

3 § 2702 Persons entitled to obtain lien.

4 (b) Liens may also be obtained in connection with: labor performed and materials furnished in plumbing, gas
5 fitting, paper hanging, paving, placing iron works and machinery of every kind in mills and factories, bridge building, the
6 erection, construction and filling in of wharves, piers and docks and all improvements to land by drainage, dredging, filling
7 in, irrigating and erecting banks and the services rendered and labor performed and materials furnished by architects,
8 engineers or for professional design or surveying services, including without limitation such services for the making of an
9 improvement to land, but, in the case of architects, engineers or other professional design or surveying service providers, if
10 and only if (i) the improvements as contemplated by the services provided are actually constructed or (ii) the surveys/plans
11 are actually approved by the governmental authority having jurisdiction or recorded at the applicable Recorder of Deeds.

12 Section 2: This Act shall be effective upon enactment.

SYNOPSIS

This Act will permit engineers to obtain mechanic's liens but only if improvements as contemplated by the engineering or architectural services provided are actually constructed or if the surveys or plans are actually approved by the governing authority having jurisdiction or recorded.