

LB 822-Is the Next Bill of Focus- This bill adds one provision to the Nebraska Construction Lien Act. LB 822 will provide upstream contracting parties with notice of an actual lien filing. Currently, our statutes do not require any notice to be sent. Thus, unless a party is monitoring the County Register of Deeds office, they may have no idea that a contractor or subcontractor has filed a construction lien.

The notice requirement provided in LB822 will require the claimant to send a copy of the recorded lien within 10 days after recording to (a) the party with whom the claimant contracted, (b) the prime contractor, and (c) the contracting owner. The goal is to improve communication and provide the opportunity for all parties to work together to resolve or minimize the payment issues on a construction project.

Some type of notice to upstream parties is a requirement in many other state construction lien statutes.

The public hearing for this bill was on January 28th. The bill is still in the Judiciary Committee. There is no fiscal note attached to this bill.