

ARKANSAS SENATE
95th General Assembly - Regular Session, 2025
Amendment Form

Subtitle of House Bill 1271

TO AMEND THE LAW CONCERNING MECHANICS' AND MATERIALMEN'S LIENS; AND
TO CLARIFY THE PRIORITY OF LIENS IN MORTGAGE CONSTRUCTION LOANS.

Amendment No. 1 to House Bill 1271

Amend House Bill 1271 as originally introduced:

Page 1, delete lines 28 and 29, and substitute the following:

"were furnished ~~in preference~~ subject to any encumbrance existing on the real estate prior to the commencement of construction or repair of the improvement."

AND

Page 1, line 33, delete "(ii)" and substitute "(ii)(a)"

AND

Page 1, line 36, delete "appraiser, surveyor" and substitute "appraiser, architect, surveyor"

AND

Page 2, delete line 6, and substitute the following:

"instrument that provides a security interest.

(b) When a mortgage or other security interest for the purpose of funding construction or repair of the improvement will encumber property on which a residential structure that is a single one-to-four family unit is located or will be constructed, the person who made the



affidavit described in subdivision (b)(1)(B)(ii)(a) of this section may be an employee or designee of the lender or licensed title agent."

AND

Page 2, line 1, delete "appraiser, surveyor" and substitute "appraiser, architect, surveyor"

AND

Page 2, line 21, delete "Except as provided in subsection" and substitute "Notwithstanding subsection"

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator C. Penzo

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Secretary