

SENATE BILL No. 600

November 4, 2015, Introduced by Senators MACGREGOR, HERTEL, ZORN and BOOHER and referred to the Committee on Banking and Financial Institutions.

A bill to amend 1937 PA 146, entitled

"An act to establish, protect and enforce by lien the rights of laborers, contractors, sub-contractors and material men and other persons furnishing labor, tools, or materials, or other things of value, for the drilling, boring, torpedoing, acidizing, completing, operating or repairing of any oil or gas well, or the constructing or repairing of any oil or gas pipe line, oil or gas derrick, or oil tank,"

by amending section 4 (MCL 570.254).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) ~~Every~~ **A** person, or ~~his~~ **THE PERSON'S** agent or
2 attorney, whether contractor, ~~sub-contractor, material man~~
3 **SUBCONTRACTOR, OR MATERIALMAN**, or laborer, who wishes to avail
4 ~~himself of the provisions of~~ **CLAIM THE BENEFIT OF** this statute,
5 **ACT**, shall make and record in the office of the register of deeds,
6 in the county or counties in which ~~said~~ **THE** leasehold, oil or gas

1 well, ~~pipe line,~~ **PIPELINE**, oil or gas derrick, oil tanks,
 2 materials, machinery, or other property to be charged with the lien
 3 is situated, ~~LOCATED~~, a just and true statement or account of the
 4 demand due him, **TO THE PERSON**, over and above all legal setoffs,
 5 setting forth the time when ~~such~~ **THE** materials were furnished or
 6 labor performed, and for whom, and containing a sufficiently
 7 correct description of the premises, leasehold, or property to be
 8 charged with the lien to identify ~~the same,~~ **THEM**, and the name of
 9 the owner, part owner, or lessee thereof, **OF THE PREMISES**, if
 10 known. ~~Such~~

11 (2) A verified statement ~~shall~~ **UNDER THIS SECTION MUST** be
 12 recorded at any time after the contract is made and within 6 months
 13 ~~from~~ **AFTER** the date on which the last of the materials ~~shall have~~
 14 ~~been~~ **IS** furnished or the last of the labor ~~shall have been~~ **IS**
 15 performed by the person claiming the lien. ~~and~~

16 (3) A VERIFIED STATEMENT UNDER THIS SECTION may be amended at
 17 any time before ~~the~~ **A** final judgment or decree. ~~Such~~ **IS ENTERED IN**
 18 **AN ACTION TO ENFORCE THE LIEN.**

19 (4) A REGISTER OF DEEDS SHALL RECORD AND INDEX A verified
 20 statement of lien ~~shall be recorded and indexed by the register of~~
 21 ~~deeds~~ **UNDER THIS SECTION** in the same manner as provided by law for
 22 the recording of real estate mortgages. ~~, and such~~ **A** recording
 23 ~~shall have~~ **UNDER THIS SUBSECTION HAS** the same effect as to notice
 24 as against subsequent purchasers or encumbrancers as the recording
 25 of a mortgage. ~~The~~

26 (5) A register of deeds ~~shall~~ **IS ENTITLED TO** receive as his
 27 ~~fees~~ **A FEE** for the recording and indexing of ~~such liens~~ **A VERIFIED**

1 **STATEMENT OF LIEN UNDER THIS SECTION, and ~~all ANY~~ subsequent papers**
2 **PAPER affecting ~~such liens,~~ THE LIEN,** the same fees as are provided
3 **by law for recording a real estate mortgage UNDER SECTION 2567 OF**
4 **THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.2567.**

5 Enacting section 1. This amendatory act takes effect 90 days
6 after the date it is enacted into law.