

STATE OF NEW YORK

10682--A

IN ASSEMBLY

March 20, 2026

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the lien law, in relation to the extended duration of certain mechanic's liens

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 17 of the lien law, as amended by chapter 324 of
2 the laws of 2000, is amended to read as follows:
3 § 17. Duration of lien. 1. No lien specified in this article shall be
4 a lien for a longer period than one year after the notice of lien has
5 been filed, unless within that time an action is commenced to foreclose
6 the lien, and a notice of the pendency of such action, whether in a
7 court of record or in a court not of record, is filed with the county
8 clerk of the county in which the notice of lien is filed, containing the
9 names of the parties to the action, the object of the action, a brief
10 description of the real property affected thereby, and the time of
11 filing the notice of lien; or unless an extension to such lien, except
12 for a lien on real property improved or to be improved with a single
13 family dwelling, is filed with the county clerk of the county in which
14 the notice of lien is filed within one year from the filing of the
15 original notice of lien, continuing such lien and such lien shall be
16 redocketed as of the date of filing such extension. Such extension shall
17 contain the names of the lienor and the owner of the real property
18 against whose interest therein such lien is claimed, a brief description
19 of the real property affected by such lien, the amount of such lien, and
20 the date of filing the notice of lien. No lien shall be continued by
21 such extension for more than one year from the filing thereof. In the
22 event an action is not commenced to foreclose the lien within such
23 extended period, such lien shall be extinguished unless an order be
24 granted by a court of record or a judge or justice thereof, continuing
25 such lien, and such lien shall be redocketed as of the date of granting
26 such order and a statement made that such lien is continued by virtue of
27 such order. A lien on real property improved or to be improved with a

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 single family dwelling may only be extended by an order of a court of
2 record, or a judge or justice thereof. No lien shall be continued by
3 court order for more than one year from the granting thereof, but a new
4 order and entry may be made in each of two successive years. If a lienor
5 is made a party defendant in an action to enforce another lien, and the
6 plaintiff or such defendant has filed a notice of the pendency of the
7 action within the time prescribed in this section, the lien of such
8 defendant is thereby continued. Such action shall be deemed an action to
9 enforce the lien of such defendant lienor. The failure to file a notice
10 of pendency of action shall not abate the action as to any person liable
11 for the payment of the debt specified in the notice of lien, and the
12 action may be prosecuted to judgment against such person. The provisions
13 of this section in regard to continuing liens shall apply to liens
14 discharged by deposit or by order on the filing of an undertaking. Where
15 a lien is discharged by deposit or by order, a notice of pendency of
16 action shall not be filed.

17 2. A lien, the duration of which has been extended by the filing of a
18 notice of the pendency of an action as above provided, shall neverthe-
19 less terminate as a lien after such notice has been canceled as provided
20 in section sixty-five hundred fourteen of the civil practice law and
21 rules or has ceased to be effective as constructive notice as provided
22 in section sixty-five hundred thirteen of the civil practice law and
23 rules.

24 3. Where a lien has been discharged by deposit, undertaking or order,
25 such lien shall be extended and continue in force and effect for three
26 years from the earlier of the date of commencement of (a) an action to
27 foreclose or enforce such lien, or (b) an action to foreclose or enforce
28 any other lien which names such lienor as a defendant pursuant to
29 section forty-four of this chapter; such lien shall be subject to all
30 requirements and provisions of law with respect to foreclosure or
31 enforcement of a mechanic's lien. The provision of this section in
32 regard to continuing liens shall apply to liens discharged by deposit or
33 by order on the filing of an undertaking. Such lien may be further
34 extended by court order, in accordance with all provisions of law
35 governing extension of a notice of pendency, including section sixty-
36 five hundred thirteen of the civil practice law and rules without limi-
37 tation as to the number of applications for or court orders extending
38 such lien as set forth in subdivision one of this section, during the
39 pendency of the foreclosure or enforcement action. This section is here-
40 by declared to be a remedial statute and is to be construed liberally to
41 secure the beneficial interests and purposes thereof.

42 § 2. This act shall take effect immediately.