

STATE OF NEW YORK

8346

2025-2026 Regular Sessions

IN ASSEMBLY

May 13, 2025

Introduced by M. of A. K. BROWN -- read once and referred to the Committee on Judiciary

AN ACT to amend the lien law, in relation to expanding mechanic's liens on real property to include attorneys, engineers and architects

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

Section 1. Section 3 of the lien law, as amended by chapter 137 of the laws of 1985, is amended to read as follows:

§ 3. Mechanic's lien on real property. A contractor, subcontractor, laborer, ~~[materialman]~~ material supplier, landscape gardener, ~~[nursery-man]~~ owner or operator of a nursery or person or corporation selling fruit or ornamental trees, roses, shrubbery, vines and small fruits, who performs labor or furnishes materials for the improvement of real property, attorney who improves real property by obtaining permits and/or zoning approvals, or an engineer or architect who performs design work relating to securing permits or zoning approvals on real property, with the consent or at the request of the owner thereof, or of ~~[his]~~ such owner's agent, contractor or subcontractor, and any trust fund to which benefits and wage supplements are due or payable for the benefit of such ~~[laborers]~~ persons, shall have a lien for the principal and interest, of the value, or the agreed price, of such labor, legal work, or design work, including benefits and wage supplements due or payable for the benefit of any laborer, ~~[or]~~ materials upon the real property improved ~~[or]~~ to be improved, or related to legal or design work and upon such improvement or legal or design work, from the time of filing a notice of such lien as prescribed in this chapter. Where the contract for an improvement is made with a ~~[husband or wife]~~ person and the property belongs to ~~[the other or both]~~ such person's spouse or both such person and their spouse, ~~[the husband or wife]~~ such person contracting shall also be presumed to be the agent of the other, unless such other having knowledge of the improvement shall, within ten days after learning of

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

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1 the contract give the contractor written notice of [~~his or her~~] their
2 refusal to consent to the improvement. Within the meaning of the
3 provisions of this chapter, materials actually manufactured for but not
4 delivered to the real property, shall also be deemed to be materials
5 furnished.
6 § 2. This act shall take effect immediately.