

2023 -- S 0612

LC002446

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO PROPERTY -- MECHANICS' LIENS

Introduced By: Senators F. Lombardi, Felag, Britto, Burke, and Ciccone

Date Introduced: March 07, 2023

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 34-28 of the General Laws entitled "Mechanics' Liens" is hereby  
2 amended by adding thereto the following section:

3 **34-28-38. Arbitration.**

4 In any mechanics' lien action under this chapter where the parties have submitted the  
5 dispute to arbitration and the mechanics' lien action is stayed pending arbitration, the arbitrator  
6 shall have the authority to make findings of fact in the arbitration award between the parties  
7 regarding procedural compliance and the amount owed within the lien period and said findings  
8 shall be binding between the parties in the mechanics' lien action.

9 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO PROPERTY -- MECHANICS' LIENS

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1           This act would provide the arbitrator in mechanics' lien actions submitted to arbitration the  
2 authority to make certain findings of fact regarding procedure compliance and amounts owed which  
3 findings would be binding in the mechanics' lien action.

4           This act would take effect upon passage.

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