

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 43-1 of the Code of Virginia, relating to definitions with respect to*  
3 *mechanics' and materialmen's liens.*

4 [H 179]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 43-1 of the Code of Virginia is amended and reenacted as follows:**

8 § 43-1. Definitions.

9 As used in this chapter, the term "general contractor" ~~shall include~~ *includes* contractors, laborers,  
10 mechanics, and persons furnishing materials, who contract directly with the owner, and the term  
11 "subcontractor" ~~shall include~~ *includes* all such contractors, laborers, mechanics, and persons furnishing  
12 materials, who do not contract with the owner but with the general contractor. As used in this chapter,  
13 the term "owner" shall not be construed to mean any person holding bare legal title under an instrument  
14 to secure a debt or indemnify a surety. As used in this chapter, the term "mechanics' lien agent" means  
15 a person (i) designated in writing by the owner of real estate or a person authorized to act on behalf of  
16 the owner of such real estate and (ii) who consents in writing to act, as the owner's designee for  
17 purposes of receiving notice pursuant to § 43-4.01. Such person shall be an attorney at law licensed to  
18 practice in the Commonwealth, a title insurance company authorized to write title insurance in the  
19 Commonwealth or one of its subsidiaries or licensed title insurance agents, or a financial institution  
20 authorized to accept deposits and to hold itself out to the public as engaged in the banking or savings  
21 institution business in the Commonwealth or a service corporation, subsidiary or affiliate of such  
22 financial institution. *Any such person may perform mechanics' lien agent services as any legal entity.*  
23 Provided that nothing herein shall be construed to affect pending litigation.

ENROLLED

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