

LEGISLATIVE BILL 1064

Approved by the Governor April 12, 1984

Introduced by Chronister, 18; H. Peterson, 35;
Jacobson, 33

AN ACT relating to livestock; to provide for liens on livestock as prescribed.

Be it enacted by the people of the State of Nebraska,

Section 1. When any person, firm, partnership, or corporation contracts or agrees with another to deliver any feed or feed ingredients for any kind of livestock, the person, firm, partnership, or corporation so procured, contracted with, agreed with, or hired shall have a lien upon such livestock for the feed or feed ingredients and related costs incurred in the delivery of such feed or feed ingredients for the agreed upon contract price or, in case no price has been agreed upon, then for the reasonable value of such feed or feed ingredients and related delivery costs, which shall be a first, paramount, and prior lien if the holders of any prior liens have agreed in writing to the contract for the feed or feed ingredients and related delivery costs. The lien may only be foreclosed against the person who has contracted or agreed for such feed or feed ingredients and related costs incurred in the delivery of such feed or feed ingredients.

Such person, firm, partnership, or corporation delivering feed or feed ingredients or incurring delivery costs shall file a notice in the office of the county clerk of the county in which such livestock are located. Such notice of lien shall designate:

- (1) The name and address of the person for whom such feed or feed ingredients were delivered;
- (2) The amount due for such feed or feed ingredients covered by the lien;
- (3) The place where such livestock are located;
- (4) A reasonable description of such livestock including the number and type of such livestock; and
- (5) The last date on which such feed or feed ingredients were delivered.

Such lien shall attach and have priority as of the date of the filing if filed in the manner provided in this section and may be foreclosed in the manner and form provided for the foreclosure of secured transactions in article 9 of the Uniform Commercial Code.

Upon receipt of a lien filed pursuant to this section or an amendment, release, or termination of such lien, the county clerk shall immediately transmit to the Secretary of State the following information:

- (a) Identification of the document;
- (b) Document number;
- (c) Name and address of the debtor or debtors;
- (d) Name and address of the creditor or creditors;
- (e) Type or types of goods covered;
- (f) Date and time of filing; and
- (g) Social security or federal identification number of the debtor or debtors, if known.

The fee for filing, amending, or releasing such lien shall be the same as set forth in section 9-403, Uniform Commercial Code.

Nothing in this section shall be construed to amend or repeal section 54-201 relating to agisters' liens.