

## LEGISLATIVE BILL 503

Approved by the Governor April 26, 1985

Introduced by Nichol, 48

AN ACT relating to liens; to provide for a lien for seed or electrical power or energy furnished as prescribed.

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

Section 1. Any person, including any public power district or cooperative, firm, or corporation, who shall contract or agree to furnish (1) seed to be sown or planted or (2) electrical power and energy, or both, used in the production of crops shall have a lien upon all crops produced from the seed furnished or produced with the electrical power or energy furnished to secure the payment of the purchase price of the seed or the cost of the electrical power or energy used.

Sec. 2. The lien provided in section 1 of this act may be perfected by filing a notice of the lien with the county clerk of the county where the crop is growing or will be grown within sixty days of the last date on which (1) the seed was furnished or (2) the meter was read with respect to the electrical power or energy furnished.

The notice of lien shall state (a) the name and address of the person claiming the lien, (b) the name of the person to whom the seed or electrical power or energy has been furnished, (c) the contract price or reasonable value of the seed or electrical power or energy, (d) the type and amount of the seed and the date of delivery of the seed or the type and amount of the electrical power or energy and the period during which such power or energy was furnished, (e) the social security or federal identification number of the debtor or debtors, if known, and (f) the legal description of the land upon which the crop is growing or will be grown. The fee for filing, amending, or releasing the lien shall be as provided in section 9-403, Uniform Commercial Code.

Sec. 3. The lien provided in section 1 of this act shall attach on the date of filing and time thereof if shown and may be foreclosed in the manner provided for the foreclosure of secured transactions in Article 9, Uniform Commercial Code.

Sec. 4. The lien provided in section 1 of this act shall have its priority established by the date and time of filing and shall not be prior to a properly attached and perfected lien created under the Uniform Commercial Code unless such priority shall be agreed upon in writing by the prior attached and perfected lienholder.