

FEB 5 2002
LOCAL GOVERNMENT

HOUSE FILE 2204
BY SIEVERS

(COMPANION TO LSB
5795SS BY ZIEMAN)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to secured transactions, by providing for
2 landlord liens and their priority.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 2204

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1 Section 1. Section 554.9109, subsection 4, paragraph a,
2 Code Supplement 2001, is amended to read as follows:

3 a. a landlord's lien; other than an agricultural lien,
4 including but not limited to an agricultural lien provided in
5 chapter 570;

6 Sec. 2. Section 554.9310, subsection 2, paragraphs i and
7 j, Code Supplement 2001, are amended to read as followed:

8 i. in proceeds which is perfected under section 554.9315;
9 or

10 j. that is perfected under section 554.9316; or

11 Sec. 3. Section 554.9310, subsection 2, Code Supplement
12 2001, is amended by adding the following new paragraph:

13 NEW PARAGRAPH. k. that is a landlord's lien which is an
14 agricultural lien effective and perfected as provided in
15 section 570.1.

16 Sec. 4. Section 554.9317, subsection 1, Code Supplement
17 2001, is amended by adding the following new paragraph:

18 NEW PARAGRAPH. c. An agricultural lien perfected as
19 provided in chapters 570 and 579A.

20 Sec. 5. Section 570.1, Code Supplement 2001, is amended to
21 read as follows:

22 570.1 LIEN CREATED -- PERFECTION AND PRIORITY --
23 TERMINATION.

24 1. A landlord's lien is established under this chapter. A
25 landlord shall have a lien for the rent upon all crops grown
26 upon the landlord's leased premises, and upon any other
27 personal property of the landlord's tenant which has been used
28 or kept thereon on the leased premises during the term and
29 which of the lease, if the crops or other property is not
30 exempt from execution.

31 2. ~~In-order-to-perfect-a~~ The landlord's lien in farm
32 products as defined in section 554.9102, ~~which-is-created~~
33 ~~under-this-section,~~ a is an agricultural lien as provided in
34 section 554.9302. In order to perfect the agricultural lien,
35 the landlord must file a financing statement as required by

1 section 554.9308, subsection 2. Except as provided in
2 chapters 571, 572, 579A, 579B, and 581, a perfected lien in
3 the farm products ~~has~~ is superior to and shall have priority
4 over a conflicting security interest or lien in the farm
5 products, including a security interest or lien that was
6 perfected prior to the creation of the lien under this
7 section, if the lien created in this section is perfected on
8 either of the following dates:

9 a. Prior to July 1, 2001.

10 b. When the debtor takes possession of the leased premises
11 or within twenty days after the debtor takes possession of the
12 leased premises.

13 3. A financing statement filed to perfect a lien in the
14 farm products must include a statement that it is filed for
15 the purpose of perfecting a landlord's lien.

16 4. a. A lien that is perfected in farm products as
17 provided in this section is extinguished one year from the
18 date that year's rent falls due under the lease, or one year
19 from the date that the rent for a shorter period falls due
20 under the lease. However, a lien that is perfected in farm
21 products shall continue as if the landlord had filed a
22 continuation statement pursuant to section 554.9515, if the
23 lease is renewed and the parties to the lease and leased
24 premises are the same.

25 b. Within twenty days after a landlord who has filed a
26 financing statement receives a written demand, authenticated
27 as provided in article 9 of chapter 554, from a tenant, the
28 landlord shall file a termination statement, if the lien in
29 the farm products has expired or if the tenant is no longer in
30 possession of the leased premises and has performed all
31 obligations under the lease.

32 Sec. 6. Section 570.2, Code 2001, is repealed.

33 EXPLANATION

34 This bill amends provisions in Code chapter 554 (article 9
35 of the revised uniform commercial code) and Code chapter 570

1 their respective chapters.

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