

Substituted for by SF 2212

3/12/02

p. 709

FEB 20 2002
Place On Calendar

HOUSE FILE 2461
BY COMMITTEE ON LOCAL GOVERNMENT

WITHDRAWN
3/12/02

(SUCCESSOR TO HF 2204)

(COMPANION TO SF 2212)

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.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2461

1 Section 1. Section 570.1, subsection 2, unnumbered
2 paragraph 2, Code Supplement 2001, is amended to read as
3 follows:

4 3. A financing statement filed to perfect a lien in the
5 farm products must include a statement that it is filed for
6 the purpose of perfecting a landlord's lien. Notwithstanding
7 section 554.9515, such financing statement shall continue to
8 be effective until a termination statement is filed.

9 4. Within twenty days after a landlord who has filed a
10 financing statement receives a written demand, authenticated
11 as provided in article 9 of chapter 554, from a tenant, the
12 landlord shall file a termination statement, if the lien in
13 the farm products has expired or if the tenant is no longer in
14 possession of the leased premises and has performed all
15 obligations under the lease.

16 EXPLANATION

17 This bill amends provisions in Code chapter 570 providing
18 for landlord's liens. Code chapter 570 protects the credit
19 interests of landlords who lease their premises to farmers, by
20 providing landlords a lien for the rent upon crops grown on
21 the leased land and on other personal property of the tenant.

22 In 2000, the general assembly enacted House File 2513 (2000
23 Iowa Acts, chapter 1149) adopting revised article 9 of the
24 uniform commercial code as proposed by the American law
25 institute and the national conference of commissioners on
26 uniform state laws, and conforming amendments to a number of
27 articles within that chapter as well as other chapters
28 providing for security interests and liens, including Code
29 chapter 570.

30 Prior to the revision of article 9, liens created in
31 statutes outside Code chapter 554 were not affected by its
32 provisions. These liens include types of statutory liens such
33 as the landlord's lien created in Code chapter 570. Revised
34 article 9 provides filing requirements for perfecting
35 statutory liens referred to as "agricultural liens" and

1 therefore may control issues relating to priority of
2 conflicting security interests and liens. Code chapter 570
3 was amended to require a landlord to file a financing
4 statement in order to perfect a lien in farm products (crops).
5 The amendment to Code chapter 570 provided for the contents of
6 the financing statement, and provided that if perfected it
7 would enjoy priority over conflicting security interests or
8 liens even if they were perfected earlier.

9 This bill amends Code section 570.1, which in part provides
10 for the filing of financing statements. The bill provides
11 that such a financing statement continues to be effective
12 until a termination statement is filed. Current Code section
13 570.2 provides that the lien continues for one year after a
14 year's rent falls due, but in no case more than six months
15 after the term of the lease expires.

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