

ENGROSSED HOUSE  
BILL NO. 2482

BY: MAXEY, BENSON and  
WIDENER of the HOUSE

and

WILLIAMS (Don) and BROWN  
of the SENATE

AN ACT RELATING TO LIENS; PROVIDING FOR AGRICULTURE  
SUPPLIERS' LIENS; ESTABLISHING LIEN PRIORITIES;  
PROVIDING PROCEDURES GOVERNING PERFECTION;  
REQUIRING FORECLOSURE WITHIN STATED PERIOD;  
PROVIDING FOR A POSSESSORY LIEN RELATED TO  
AGRICULTURAL SUPPLIERS; ESTABLISHING LIEN  
PRIORITIES; PROVIDING FOR CODIFICATION; AND  
PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 47 of Title 42, unless there is  
created a duplication in numbering, reads as follows:

A. Any person furnishing or providing to the owner of growing  
crops which have either been planted or are about to be planted any  
seed, chemicals, pesticides, herbicides or fertilizer for the  
growing of said crops shall have a lien on said crops for the amount  
due for such seed, chemicals, pesticides, herbicides or fertilizer  
or the application thereof. The lien provided for in this section  
shall be subject to all prior perfected liens.

B. 1. To obtain an agricultural suppliers' lien, the one entitled to the lien, within one hundred twenty (120) days after the seed, chemicals, pesticides, herbicides or fertilizer are furnished or the services are performed, shall file a verified statement in the Office of the County Clerk of the county or counties in which the crops are growing or are stored. Upon receipt, the county clerk shall record the verified statement in the tract indexes and in the mechanics' lien journal.

2. The statement must contain the following information:

- a. the name and address of the persons to whom the seed, chemicals, pesticides, herbicides or fertilizer were furnished,
- b. the name and address of the supplier,
- c. a description of the crops with the legal description if the crops are still growing, and
- d. a description and value of the seed, chemicals, pesticides, herbicides or fertilizer furnished.

C. An agricultural suppliers' lien may be foreclosed by the sale of the crops subject to the lien anytime within twelve (12) months after filing of the lien in accordance with the provisions of Title 12A of the Oklahoma Statutes.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 48 of Title 42, unless there is created a duplication in numbering, reads as follows:

Any person furnishing or providing to the owners of growing crops any seed, chemical, pesticide, herbicide or fertilizer for the growing of said crop shall have a general lien, dependent upon possession, upon all property in his hands belonging to the purchaser, for the balance due to him from the purchaser in the course of the business. The lien provided for in this section shall be subject to all prior perfected liens.

SECTION 3. This act shall become effective September 1, 1992.

Passed the House of Representatives the 3rd day of March, 1992.

Speaker of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1992.

President of the Senate