

CHAPTER 59
CUSTOM CATTLE FEEDLOT LIENS
H.F. 198

AN ACT creating a lien arising from the care and feeding of livestock in a custom cattle feedlot.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 579.1, Code 1995, is amended to read as follows:
579.1 NATURE OF LIEN.

1. Livery and feed stable keepers, herders, feeders, or keepers of stock ~~and of places for the storage of motor vehicles, boats and boat engines and boat motors~~ shall have a lien on all property coming into their hands, as such, for their charges and the expense of keeping, but such lien shall be subject to chapter 579A and all prior liens of record.

2. Places for the storage of motor vehicles, boats, and boat engines and boat motors shall have a lien on all property coming into their hands, as such, for their charges and the expense of keeping, but such lien shall be subject to all prior liens of record.

Sec. 2. NEW SECTION. 579A.1 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Cattle" means an animal classified as bovine, regardless of the age or sex of the animal.
2. "Custom cattle feedlot" means a feedlot where cattle owned by a person are subject to care and feeding performed by another person.
3. "Custom cattle feedlot operator" means the owner of a custom cattle feedlot or a person managing the custom cattle feedlot, if the person is authorized by the owner to file and enforce a lien under this chapter.
4. "Feedlot" means the same as defined in section 172D.1.
5. "Processor" means the same as defined in section 9H.1.

Sec. 3. NEW SECTION. 579A.2 ESTABLISHMENT OF LIEN - PRIORITY.

1. A custom cattle feedlot operator shall have a lien upon the cattle and the identifiable cash proceeds from the sale of the cattle for the amount of the contract price for the feed and care of the livestock at the custom cattle feedlot agreed upon by the custom cattle feedlot operator and the person who owns the cattle, which may be enforced as provided in section 579A.3.

2. The lien is created at the time the cattle arrive at the custom cattle feedlot and continues for one year after the cattle have left the custom cattle feedlot. In order to preserve the lien, the custom cattle feedlot operator must, within twenty days after the cattle arrive at the custom cattle feedlot, file in the office of the secretary of state, a lien statement on a form prescribed by the secretary of state. The secretary of state shall charge a fee of not more than ten dollars for filing the statement. The secretary of state may adopt rules pursuant to chapter 17A for the electronic filing of the statements. The statement must include all of the following:

- a. An estimate of the amount of feed and care provided to the cattle pursuant to the contract.
- b. The estimated duration of the period when the cattle are subject to feed and care at the custom cattle feedlot.
- c. The name of the party to the contract whose cattle are subject to feed and care at the custom cattle feedlot.
- d. The description of the location of the custom cattle feedlot, by county and township.
- e. The signature of the person filing the form.

3. Except as provided in chapter 581, a lien created under this section until preserved and a lien preserved under this section is superior to and shall have priority over a conflicting

lien or security interest in the cattle, including a lien that was perfected prior to the creation of the lien provided under this section.

Sec. 4. NEW SECTION. 579A.3 ENFORCEMENT.

While the cattle are located at the custom cattle feedlot, the custom cattle feedlot operator may foreclose a lien created in section 579A.2 in the manner provided for the foreclosure of secured transactions as provided in sections 554.9504, 554.9506, and 554.9507. After the cattle have left the custom cattle feedlot, the custom cattle feedlot operator may enforce the lien by commencing an action at law for the amount of the lien against either of the following:

1. The holder of the identifiable cash proceeds from the sale of the cattle.
2. The processor who has purchased the cattle within three days after the cattle have left the custom cattle feedlot.

Sec. 5. Section 580.1, Code 1995, is amended to read as follows:

580.1 NATURE OF LIEN - FORFEITURE.

~~The Except as provided in chapter 579A, the~~ owner or keeper of any stallion, bull or jack kept for public service, or any person, firm, or association which invokes pregnancy of animals for the public by means of artificial insemination shall have a prior lien on the progeny of such stallion, bull, artificial insemination or jack, to secure the amount due such owner, artificial inseminator or keeper for the service resulting in such progeny, but no such lien shall obtain where the owner or keeper misrepresents the animal by a false or spurious pedigree, or fails to substantially comply with the laws of Iowa relating to such animals.

Approved April 24, 1995

CHAPTER 60
REGISTERED BRANDS
S.F. 402

AN ACT relating to brands registered by the department of agriculture and land stewardship and providing for penalties.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 169A.1, Code 1995, is amended to read as follows:

169A.1 DEFINITIONS.

When used in this chapter:

1. "Brand" means an identification mark that is burned into the hide of a live animal by a hot iron or another method approved by the secretary. A brand shall include a cryo-brand.

2. ~~"Cryo branding"~~ "Cryo-brand" means a brand produced by application of extreme cold temperature.

3. ~~"Person" means an individual, firm, association, partnership, or corporation; the singular shall also mean the plural where applicable.~~

3. "Livestock" means horses, cattle, sheep, mules, or asses.

Sec. 2. Section 169A.2, Code 1995, is amended to read as follows:

169A.2 ADOPTION OF BRAND.

Any person ~~having cattle, sheep, horses, mules, or asses shall have the right to owning livestock may~~ adopt a brand for the ~~use of which the~~ purpose of branding the livestock.