

**554.9109 Scope.**

1. *General scope of Article.* Except as otherwise provided in [subsections 3 and 4](#), [this Article](#) applies to:

- a. a transaction, regardless of its form, that creates a security interest in personal property or fixtures by contract;
- b. an agricultural lien;
- c. a sale of accounts, chattel paper, payment intangibles, or promissory notes;
- d. a consignment;
- e. a security interest arising under [section 554.2401](#), [554.2505](#), [554.2711](#), [subsection 3](#), or [section 554.13508](#), [subsection 5](#), as provided in [section 554.9110](#); and
- f. a security interest arising under [section 554.4210](#) or [554.5118](#).

2. *Security interest in secured obligation.* The application of [this Article](#) to a security interest in a secured obligation is not affected by the fact that the obligation is itself secured by a transaction or interest to which [this Article](#) does not apply.

3. *Extent to which Article does not apply.* [This Article](#) does not apply to the extent that:

- a. a statute, regulation, or treaty of the United States preempts [this Article](#);
- b. another statute of this state expressly governs the creation, perfection, priority, or enforcement of a security interest created by this state or a governmental unit of this state;
- c. a statute of another state, a foreign country, or a governmental unit of another state or a foreign country, other than a statute generally applicable to security interests, expressly governs creation, perfection, priority, or enforcement of a security interest created by the state, country, or governmental unit; or
- d. the rights of a transferee beneficiary or nominated person under a letter of credit are independent and superior under [section 554.5114](#).

4. *Inapplicability of Article.* [This Article](#) does not apply to:

- a. a landlord's lien, other than an agricultural lien;
- b. a lien, other than an agricultural lien, given by statute or other rule of law for services or materials, but [section 554.9333](#) applies with respect to priority of the lien;
- c. an assignment of a claim for wages, salary, or other compensation of an employee;
- d. a sale of accounts, chattel paper, payment intangibles, or promissory notes as part of a sale of the business out of which they arose;
- e. an assignment of accounts, chattel paper, payment intangibles, or promissory notes which is for the purpose of collection only;
- f. an assignment of a right to payment under a contract to an assignee that is also obligated to perform under the contract;
- g. an assignment of a single account, payment intangible, or promissory note to an assignee in full or partial satisfaction of a preexisting indebtedness;
- h. a transfer of an interest in or an assignment of a claim under a policy of insurance, other than an assignment by or to a health care provider of a health care insurance receivable and any subsequent assignment of the right to payment, but [sections 554.9315](#) and [554.9322](#) apply with respect to proceeds and priorities in proceeds;
- i. an assignment of a right represented by a judgment, other than a judgment taken on a right to payment that was collateral;
- j. a right of recoupment or setoff, but:
  - (1) [section 554.9340](#) applies with respect to the effectiveness of rights of recoupment or setoff against deposit accounts; and
  - (2) [section 554.9404](#) applies with respect to defenses or claims of an account debtor;
- k. the creation or transfer of an interest in or lien on real property, including a lease or rents thereunder, except to the extent that provision is made for:
  - (1) liens on real property in [sections 554.9203](#) and [554.9308](#);
  - (2) fixtures in [section 554.9334](#);
  - (3) fixture filings in [sections 554.9501](#), [554.9502](#), [554.9512](#), [554.9516](#), and [554.9519](#); and
  - (4) security agreements covering personal and real property in [section 554.9604](#);
- l. an assignment of a claim arising in tort, other than a commercial tort claim, but [sections 554.9315](#) and [554.9322](#) apply with respect to proceeds and priorities in proceeds;

*m.* an assignment of a deposit account in a consumer transaction, but [sections 554.9315](#) and [554.9322](#) apply with respect to proceeds and priorities in proceeds;

*n.* a transfer, other than a transfer pursuant to [chapter 419](#), by this state or a governmental unit within this state in connection with a public-finance transaction or a transaction that would be a public-finance transaction but for failure to meet the criterion set forth in [section 554.9102, subsection 1](#), paragraph “*bo*”, subparagraph (2); or

*o.* an assignment of a claim or right to receive any of the following:

(1) compensation for injuries or sickness as provided in 26 U.S.C. §104(a)(1) or (2).

(2) benefits under a special needs trust as provided in 42 U.S.C. §1396p(d)(4).

[2000 Acts, ch 1149, §9, 185, 187](#); [2002 Acts, ch 1119, §88](#)

Referred to in [§554.13303, §579B.3](#)