

House Amendment 3453

Amendment Text

PAG LIN

1 1 Amend [House File 198](#) as follows:
1 2 #1. Page 1, by inserting after line 22 the
1 3 following:
1 4 "____. "Custom cattle feedlot operator" means the
1 5 owner of a custom cattle feedlot or a person managing
1 6 the custom cattle feedlot, if the person is authorized
1 7 by the owner to file and enforce a lien under this
1 8 chapter."
1 9 #2. Page 1, by inserting after line 23 the
1 10 following:
1 11 "____. "Processor" means the same as defined in
1 12 section 9H.1."
1 13 #3. By striking page 1, line 26, through page 2,
1 14 line 6, and inserting the following:
1 15 "1. A custom cattle feedlot operator shall have a
1 16 lien upon the cattle and the identifiable cash
1 17 proceeds from the sale of the cattle for the amount of
1 18 the contract price for the feed and care of the
1 19 livestock at the custom cattle feedlot agreed upon by
1 20 the custom cattle feedlot operator and the person who
1 21 owns the cattle, which may be enforced as provided in
1 22 section 579A.3.
1 23 2. The lien is created at the time the cattle
1 24 arrive at the custom cattle feedlot and continues for
1 25 one year after the cattle have left the custom cattle
1 26 feedlot. In order to preserve the lien, the custom
1 27 cattle feedlot operator must, within twenty days after
1 28 the cattle arrive at the custom cattle feedlot, file
1 29 in the office of the secretary of state, a lien
1 30 statement on a form prescribed by the secretary of
1 31 state. The secretary of state shall charge a fee of
1 32 not more than ten dollars for filing the statement.
1 33 The secretary of state may adopt rules pursuant to
1 34 chapter 17A for the electronic filing of the
1 35 statements. The statement must include all of the
1 36 following:
1 37 a. An estimate of the amount of feed and care
1 38 provided to the cattle pursuant to the contract.
1 39 b. The estimated duration of the period when the
1 40 cattle are subject to feed and care at the custom
1 41 cattle feedlot.
1 42 c. The name of the party to the contract whose
1 43 cattle are subject to feed and care at the custom
1 44 cattle feedlot.
1 45 d. The description of the location of the custom
1 46 cattle feedlot, by county and township.
1 47 e. The signature of the person filing the form.
1 48 3. Except as provided in chapter 581, a lien
1 49 created under this section until preserved and a lien
1 50 preserved under this section is superior to and shall
2 1 have priority over a conflicting lien or security
2 2 interest in the cattle, including a lien that was
2 3 perfected prior to the creation of the lien provided
2 4 under this section."
2 5 #4. Page 2, by striking lines 8 through 17 and
2 6 inserting the following:
2 7 "While the cattle are located at the custom cattle

2 8 feedlot, the custom cattle feedlot operator may
2 9 foreclose a lien created in section 579A.2 in the
2 10 manner provided for the foreclosure of secured
2 11 transactions as provided in sections 554.9504,
2 12 554.9506, and 554.9507. After the cattle have left
2 13 the custom cattle feedlot, the custom cattle feedlot
2 14 operator may enforce the lien by commencing an action
2 15 at law for the amount of the lien against either of
2 16 the following:

2 17 1. The holder of the identifiable cash proceeds
2 18 from the sale of the cattle.

2 19 2. The processor who has purchased the cattle
2 20 within three days after the cattle have left the
2 21 custom cattle feedlot."

2 22 #5. By renumbering as necessary.

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2 27 HF 198.501 76

2 28 da/jw