

LEGISLATIVE BILL 318

Approved by the Governor March 27, 2019

Introduced by McCollister, 20.

A BILL FOR AN ACT relating to liens; to amend section 52-903, Revised Statutes Cumulative Supplement, 2018; to change provisions relating to petroleum products liens; and to repeal the original section.
Be it enacted by the people of the State of Nebraska,

Section 1. Section 52-903, Revised Statutes Cumulative Supplement, 2018, is amended to read:

52-903 From and after the date of the filing of the lien as provided in section 52-902, the person claiming the lien shall have a lien upon the crops produced and owned by the person to whom the fuel or lubricant was furnished to the amount of the purchase price of such fuel or lubricant so furnished to such person. In the event the person to whom such fuel or lubricant was furnished desires to sell or deliver any portion of the crops so produced, such person shall notify the purchaser or consignee that such fuel or lubricant bill has not been paid. Such lien shall shift to the purchase price thereof in the hands of such purchaser or consignee. In the event any portion of such crops is sold or consigned with the consent or knowledge of the person entitled to a lien thereon within six months after the date such fuel or lubricant was furnished, such lien shall not attach to any portion of such crops or to the purchase price thereof unless the person entitled to such lien notifies the purchaser in writing thereof. A lien created under section 52-901 shall be treated in all respects as an agricultural lien as provided in article 9, Uniform Commercial Code, and may be enforced in the manner and form provided for the enforcement of secured transactions as provided in article 9, Uniform Commercial Code, ~~except that such enforcement proceedings shall be instituted within ninety days after the filing of the lien.~~ Effective January 1, 2015, this section applies to a lien created under section 52-901 regardless of when the lien was created.

Sec. 2. Original section 52-903, Revised Statutes Cumulative Supplement, 2018, is repealed.