

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 318

Introduced by McCollister, 20.

Read first time January 16, 2019

Committee:

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

1 Section 1. Section 52-903, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 52-903 From and after the date of the filing of the lien as provided
4 in section 52-902, the person claiming the lien shall have a lien upon
5 the crops produced and owned by the person to whom the fuel or lubricant
6 was furnished to the amount of the purchase price of such fuel or
7 lubricant so furnished to such person. In the event the person to whom
8 such fuel or lubricant was furnished desires to sell or deliver any
9 portion of the crops so produced, such person shall notify the purchaser
10 or consignee that such fuel or lubricant bill has not been paid. Such
11 lien shall shift to the purchase price thereof in the hands of such
12 purchaser or consignee. In the event any portion of such crops is sold or
13 consigned with the consent or knowledge of the person entitled to a lien
14 thereon within six months after the date such fuel or lubricant was
15 furnished, such lien shall not attach to any portion of such crops or to
16 the purchase price thereof unless the person entitled to such lien
17 notifies the purchaser in writing thereof. A lien created under section
18 52-901 shall be treated in all respects as an agricultural lien as
19 provided in article 9, Uniform Commercial Code, and may be enforced in
20 the manner and form provided for the enforcement of secured transactions
21 as provided in article 9, Uniform Commercial Code, ~~except that such~~
22 ~~enforcement proceedings shall be instituted within ninety days after the~~
23 ~~filing of the lien.~~ Effective January 1, 2015, this section applies to a
24 lien created under section 52-901 regardless of when the lien was
25 created.

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27 Supplement, 2018, is repealed.