

SENATE FILE NO. SF0004

Feeder and breeder lien laws.

Sponsored by: Senator(s) Geis

A BILL

for

1 AN ACT relating to liens; providing for the filing of
2 feeder's and breeder's liens as specified; amending related
3 provisions; and providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 29-7-101(a)(ii), 29-7-102(c),
8 29-7-103(a), 29-7-202(a) and (b), 29-7-205(d) and 29-7-207
9 are amended to read:

10

11 **29-7-101. Persons entitled to lien; exception.**

12

13 (a) Any person is entitled to a lien on any goods,
14 chattels or animals for his reasonable charges for work or
15 services performed or feed provided when he:

16

1 (ii) Feeds, herds, pastures or cares for any
2 domestic or wild animal lawfully held in captivity. Any
3 person creating a lien under this paragraph shall file the
4 lien in the office of the secretary of state.

5
6 **29-7-102. Right of possession by lien claimant;**
7 **termination thereof; removal of property without**
8 **lienholder's consent; penalty therefor; filing of lien**
9 **statement in lieu of possession.**

10
11 (c) If a lien claimant desires to continue a lien
12 without retaining possession, he may before voluntarily
13 releasing possession file a lien statement in the office of
14 the county clerk of the county where the property is
15 located, or in the case of a feeder's lien under paragraph
16 (a)(ii) of this section, in the office of the secretary of
17 state.

18
19 **29-7-103. Lien statement; additional contents; county**
20 **clerk to note lien on certificate of title.**

21
22 (a) A lien statement under W.S. 29-7-101 through
23 29-7-106 shall provide in addition to the requirements of
24 W.S. ~~29-1-301(a)~~ 29-1-301(b) whether the lien claimant was

1 in possession of the property at the time the lien
 2 statement was filed or the owner consented to the filing of
 3 the lien. ~~;~~ and Notwithstanding W.S. 29-1-301(a), a feeder's
 4 lien created pursuant to W.S. 29-7-101(a)(ii) shall be
 5 filed in the office of the secretary of state together with
 6 any applicable filing fees.

7

8 **29-7-202. Notice of lien to be filed; time and place;**
 9 **form; filing by county clerk; release; renewal.**

10

11 (a) A notice of a breeder's lien shall within ninety
 12 (90) days after the date of the service be filed in the
 13 office of the ~~county clerk of the county in which the~~
 14 ~~female animal or the offspring is held or pastured~~
 15 secretary of state. The notice shall be in the following
 16 format:

17

18 Notice of Breeder's Lien.

19

20 The State of Wyoming)

21) ss.

22 County of)

23

1 I,, being first duly sworn, upon my oath depose and
2 say I am the lawful owner (or duly authorized agent of
3 the lawful owner) of (description of male animal).

4

5 On (or between) the day of, A.D. (year) and
6 the day of, (year), the services of the male
7 animal were had upon the following described female
8 animals:

9

10 The above services were rendered at the request of
11 (for and on behalf of), the lawful owner of
12 the female animals.

13

14 The fee agreed upon for these services was
15 dollars.

16

17 There is now due to from for these services,
18 the sum of dollars.

19

20 Ninety (90) days have not elapsed since the date of
21 the services, and claim a breeder's lien on the
22 property for this amount.

23

1 Subscribed in my presence and sworn to before me this
2 day of, A.D. (year).

3

4

....

5

Notary Public.

6 My commission expires

7

8 (b) The ~~county clerk~~ secretary of state on
9 presentation shall file this instrument in his office in
10 the same manner as financing statements are required to be
11 filed under the Uniform Commercial Code.

12

13 **29-7-205. Sale at auction; publication or posting of**
14 **notice; contents thereof; new notice required in case of**
15 **adjournment; lien claimant may purchase; bill of sale to be**
16 **filed.**

17

18 (d) The purchaser shall take from the person selling
19 any female animal or offspring a bill of sale which shall
20 contain the substance of the notice of sale, the date of
21 sale and the consideration. The bill of sale shall be filed
22 in the office of the ~~county clerk where the notice of lien~~
23 ~~was filed~~ secretary of state, and shall be provided to a

1 Wyoming brand inspector upon a change of ownership
2 inspection pursuant to W.S. 11-20-203.

3

4 **29-7-207. Selling or removing encumbered property**
5 **without lienholder's consent; penalty.**

6

7 Any owner of a female animal or offspring on which a lien
8 exists under W.S. 29-7-201 through 29-7-207 who disposes of
9 any female animal or offspring before the lien expires or
10 is satisfied or who removes the female animal or offspring
11 ~~out of the county in which the notice of lien is filed~~ with
12 intent to deprive a lien claimant of his lien or with
13 intent to damage an innocent purchaser, and does so without
14 first having obtained the consent of the lienholder to the
15 disposition is guilty of a misdemeanor. On conviction he
16 may be fined not more than seven hundred fifty dollars
17 (\$750.00).

18

19 **Section 2.** This act is effective July 1, 2004.

20

21

(END)