

ORIGINAL SENATE
FILE NO. 0004

ENROLLED ACT NO. 1, SENATE

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2004 BUDGET SESSION

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

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

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

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

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

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

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

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

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animal were had upon the following described female animals:

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

The fee agreed upon for these services was dollars.

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

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

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

....
Notary Public.

My commission expires

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

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

(d) The purchaser shall take from the person selling any female animal or offspring a bill of sale which shall

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contain the substance of the notice of sale, the date of sale and the consideration. The bill of sale shall be filed in the office of the ~~county clerk where the notice of lien was filed~~ secretary of state, and shall be provided to a Wyoming brand inspector upon a change of ownership inspection pursuant to W.S. 11-20-203.

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

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

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk