

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1169

Introduced by

Representatives Delzer, Skarphol, Wieland, Dosch

Senator J. Lee

- 1 A BILL for an Act to amend and reenact section 35-31-01 of the North Dakota Century Code,
2 relating to the applicability of agricultural supplier liens.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 35-31-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **35-31-01. Agricultural supplier's lien authorized. ~~Any~~**

- 7 1. A person who furnishes supplies used in the production of crops, agricultural
8 products, or livestock is entitled to a lien as referenced in the central notice system
9 upon the crops, products produced by the use of the supplies, and livestock and
10 their products including milk.
- 11 2. As used in this chapter, the term "supplies" includes seed, petroleum products,
12 fertilizer, farm chemicals, insecticide, feed, hay, pasturage, veterinary services, or
13 the furnishing of services in delivering or applying the supplies.
- 14 3. Except as otherwise provided in this section, an agricultural supplier's lien filed in
15 accordance with section 35-31-02 is effective from the date the supplies are
16 furnished or the services performed. An agricultural supplier's lien filed as a
17 security interest created by contract to secure money advanced or loaned for any
18 purposes is not effective to secure a priority over liens filed under section
19 35-05-01.
- 20 4. This chapter does not limit the sale, assignment, or transfer of an agricultural
21 supplier's lien. However, the priority of an effective agricultural supplier's lien is not
22 transferable from the original lienholder. After sale, assignment, or transfer, the
23 priority of an effective agricultural supplier's lien is to be determined as of the date
24 the lien was filed and in accordance with section 41-09-33.