

---

HOUSE BILL 2661

---

State of Washington

53rd Legislature

1994 Regular Session

By Representatives Hansen and Rayburn

Read first time 01/19/94. Referred to Committee on Agriculture & Rural Development.

1 AN ACT Relating to crop liens for furnishing work or labor; and  
2 amending RCW 60.11.040.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 60.11.040 and 1991 c 286 s 4 are each amended to read  
5 as follows:

6 (1) Except as provided in subsection (4) of this section with  
7 respect to the lien of a landlord, and except for the lien of a handler  
8 as provided in RCW 60.11.020(3), any lien holder must after the  
9 commencement of delivery of such supplies and/or of provision of such  
10 services, but before the completion of the harvest of the crops for  
11 which the lien is claimed, or in the case of a lien for furnishing work  
12 or labor within (~~twenty~~) thirty days after the cessation of the work  
13 or labor for which the lien is claimed: (a) File a statement  
14 evidencing the lien with the department of licensing; and (b) if the  
15 lien holder is to be allowed costs, disbursements, and attorneys' fees,  
16 mail a copy of such statement to the last known address of the debtor  
17 by certified mail, return receipt requested, within ten days.

18 (2) The statement shall be in writing, signed by the claimant, and  
19 shall contain in substance the following information:

1 (a) The name and address of the claimant;  
2 (b) The name and address of the debtor;  
3 (c) The date of commencement of performance for which the lien is  
4 claimed;  
5 (d) A description of the labor services, materials, or supplies  
6 furnished;  
7 (e) A description of the crop and its location to be charged with  
8 the lien sufficient for identification; and  
9 (f) The signature of the claimant.

10 (3) The department of licensing may by rule prescribe standard  
11 filing forms, fees, and uniform procedures for filing with, and  
12 obtaining information from, filing officers, including provisions for  
13 filing crop liens together with financing statements filed pursuant to  
14 RCW 62A.9-401 so that one request will reveal all filed crop liens and  
15 security interests.

16 (4) Any landlord claiming a lien under this chapter for rent shall  
17 file a statement evidencing the lien with the department of licensing.  
18 A lien for rent claimed by a landlord pursuant to this chapter shall be  
19 effective during the term of the lease for a period of up to five  
20 years. A landlord lien covering a lease term longer than five years  
21 may be refiled in accordance with RCW 60.11.050(5). A landlord who has  
22 a right to a share of the crop may place suppliers on notice by filing  
23 evidence of such interest in the same manner as provided for filing a  
24 landlord's lien.

--- END ---