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Statutory Agricultural Lien Rapid Finder Chart: *Arkansas*

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Statutory Agricultural Lien Rapid Finder Chart: Arkansas

TYPE OF LIEN/CLAIMANT	LIEN CLAIMANT	ATTACHED PROPERTY	POSSESSION REQUIRED	FILING REQUIRED	DATE LIEN ATTACHES	EXPRESS STATUTORY PRIORITY
LIEN ON GRAIN, SOYBEANS, OR PEANUTS ARK. CODE ANN. §§ 2-15-301 – 2-15-311	OWNER OF GRAIN, SOYBEANS, OR PEANUTS	ALL GRAIN, SOYBEANS, OR PEANUTS SOLD FOR ANY UNPAID PORTION OF SALES PRICE	NO	NO, PERFECTED AUTOMATICALLY FROM JULY 22, 2015 OR THE DATE A SALES AGREEMENT IS EXECUTED AFTER JULY 22, 2015	THE DATE AN OWNER ENTERS INTO AN ORAL OR WRITTEN AGREEMENT TO SELL THE GRAIN, SOYBEANS, OR PEANUTS	SUBJECT TO A PERMITTED LIEN, BUT TAKES PRIORITY OVER ANY OTHER LIEN
LIEN FOR PLANT QUARANTINE EXPENSES ARK. CODE ANN. § 2-16-106	STATE PLANT BOARD	REAL PROPERTY UPON WHICH THE STATE PLANT BOARD ENFORCES, MAINTAINS, OR ADMINISTERS ANY QUARANTINE	NO	NO	NOT SPECIFIED	NOT SPECIFIED
LIEN FOR CONTROL OF INSECT PESTS ARK. CODE ANN. § 2-16-211	STATE PLANT BOARD	REAL PROPERTY UPON WHICH THE STATE PLANT BOARD INCURS EXPENSES TO CONTROL, ERADICATE, OR PREVENT DISSEMINATION OF INSECT PEST, DISEASE, OR NOXIOUS WEEDS	NO	NO	NOT SPECIFIED	NOT SPECIFIED
LIEN ON COTTON FOR BOLL WEEVIL SUPPRESSION AND ERADICATION ASSESSMENT ARK. CODE ANN. §§ 2-16-601 – 2-16-617	ARKANSAS STATE PLANT BOARD	COTTON SUBJECT TO AN ASSESSMENT TO OFFSET COSTS OF THE BOLL WEEVIL SUPPRESSION OR ERADICATION PROGRAM	NO	NO	NOT SPECIFIED	NONE
LIVESTOCK OWNER'S LIEN ARK. CODE ANN. §§ 2-32-401 – 2-32-411	OWNER OF LIVESTOCK	ALL LIVESTOCK SOLD FOR ANY UNPAID PORTION OF THE SALES PRICE	NO	NO, PERFECTED AUTOMATICALLY FROM AUGUST 16, 2013 OR DATE A SALES AGREEMENT IS EXECUTED AFTER AUGUST 16, 2013	THE DATE AN OWNER ENTERS INTO AN ORAL OR WRITTEN AGREEMENT TO SELL THE LIVESTOCK	SUBJECT TO A PERMITTED LIEN, BUT TAKES PRIORITY OVER ANY OTHER LIEN



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LIEN ON ANIMALS RUNNING AT LARGE ARK. CODE ANN. § 2-38-301	PERSON WHOSE CROPS MAY HAVE BEEN DAMAGED OR DESTROYED	TRESPASSING ANIMALS	NO	NO	NOT SPECIFIED	NONE
WAREHOUSE LIEN ARK. CODE ANN. §§ 4-7-209 – 4-7-210	WAREHOUSE	GOODS COVERED BY WAREHOUSE RECEIPT, STORAGE AGREEMENT, OR ON PROCEEDS THEREOF	YES, LIEN IS LOST IF WAREHOUSE VOLUNTARILY DELIVERS OR UNJUSTIFIABLY REFUSES TO DELIVER	ENFORCEABLE BY COMMERCIALY REASONABLE SALE	THE DATE OF THE WAREHOUSE RECEIPT OR STORAGE AGREEMENT	ENFORCEABLE BY COMMERCIALY REASONABLE SALE
CARRIER'S LIEN ARK. CODE ANN. §§ 4-7-307 – 4-7-308	CARRIER	GOODS COVERED BY A BILL OF LADING OR ON THE PROCEEDS THEREOF	YES, LIEN IS LOST IF CARRIER VOLUNTARILY DELIVERS OR UNJUSTIFIABLY REFUSES TO DELIVER	ENFORCEABLE BY COMMERCIALY REASONABLE SALE	AFTER THE DATE OF THE CARRIER'S RECEIPT OF THE GOODS FOR STORAGE OR TRANSPORTATION	ENFORCEABLE BY COMMERCIALY REASONABLE SALE
TAX LEVY ON WATER AND SOIL IMPROVEMENT DISTRICTS ARK. CODE ANN. §§ 14-117-401 – 14-117-427	"LOCAL ORGANIZATIONS" AS DEFINED BY THE WATERSHED PROTECTION AND FLOOD PREVENTION ACT; THE BOARD OF COMMISSIONERS	ALL REAL PROPERTY IN THE DISTRICT	NO	YES, WITH THE CHANCERY OR CIRCUIT COURT	FINAL ACTION OF THE CHANCERY OR CIRCUIT COURT APPROVING THE ASSESSMENT	SUPERIOR TO OTHER LIENS ON LAND BESIDES ANY INDEBTEDNESS TO THE U.S.
STOCK MARSHAL LIEN ARK. CODE ANN. § 14-387-603	STOCK MARSHAL	LIVESTOCK RUNNING AT LARGE	IMPLIED BY THE STATUTE	IF OWNER KNOWN, WRITTEN NOTICE; IF OWNER UNKNOWN, MAKE AN AFFIDVAIT BEFORE JUSTICE OF THE PEACE, WHICH WILL BE DELIVERED TO THE CLERK OF THE COUNTY COURT	NOT SPECIFIED	NOT SPECIFIED
LIEN FOR SPARTA AQUIFER CONSERVATION FEE ARK. CODE ANN. § 15-22-1215	ARKANSAS NATURAL RESOURCES COMMISSION	REAL AND PERSONAL PROPERTY OF DELINQUENT REGISTERED OR SIGNIFICANT WATER USER	NO	ONLY ENFORCEABLE BY AN ACTION IN CIRCUIT COURT	NOT SPECIFIED	NOT SPECIFIED



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LIEN FOR DRIVING LOGS ARK. CODE ANN. § 15-32-408	PERSON WHO DRIVES UNMARKED "PRIZE" LOGS THAT HAVE INTERMIXED AND FLOATS PRIZE LOGS TO MARKET OR PLACE OF MANUFACTURE	LOGS AND TIMBER	NO	NO	LIEN EXPIRES 30 DAYS AFTER LOGS ARRIVE AT THEIR PLACE OF DESTINATION	NONE
LANDLORD'S LIEN ON CROPS ARK. CODE ANN. §§ 18-41-101 – 18-42-108	LANDLORD OF DEMISED PREMISES UPON WHICH CROPS ARE GROWN	CROPS GROWN UPON THE DEMISED PREMISES ADVANCES FOR SUPPLIES TO GROW THE CROPS	NO	NO	DATE CROPS COME INTO EXISTENCE UNTIL SIX MONTHS AFTER THE LAST INSTALLMENT OF RENT	PERFECTED LIEN WILL HAVE PRIORITY OVER CONFLICTING SECURITY INTERESTS, UNLESS PRIORITY RELEASED BY WRITTEN AGREEMENT
LIENS OF EMPLOYERS AND EMPLOYEES UNDER CONTRACT ARK. CODE ANN. §§ 18-42-101 – 18-42-110	CONTRACTED EMPLOYEE OR LABORER	PRODUCE RAISED AND ARTICLES CONSTRUCTED OR MANUFACTURED BY LABORERS DURING THEIR CONTRACT WAGES OR SHARES OF CROP DUE TO EMPLOYEE	NO	YES, A COPY OF THE CONTRACT SHALL BE FILED IN THE RECORDER'S OFFICE	DATE COPY OF THE CONTRACT IS FILED IN THE RECORDER'S OFFICE OF THE PROPER COUNTY	PRIORITIES IN THE ABSENCE OF A WRITTEN CONTRACT AND THE PRESENCE OF A MORTGAGE; SUBJECT TO LANDLORD'S LIEN ON CROPS
LABORER'S LIEN ARK. CODE ANN. §§ 18-43-101 – 18-43-117	UNPAID LABORER WHO PERFORMS WORK OR LABOR FOR ANY PERSON UNDER WRITTEN OR VERBAL CONTRACT	ON ANY OBJECT, THING, MATERIAL, OR PROPERTY FOR LABOR DONE AND PERFORMED	NO	YES, CLAIMANT SHALL MAKE SWORN STATEMENT OF AMOUNT DUE AFTER ALL JUST CREDITORS ARGE GIVEN NOTICE	FROM AND AFTER THE TIME THE LABOR IS PERFORMED	SUBJECT TO PRIOR LIENS AND LANDLORD'S LIEN ON CROPS
LIEN FOR SPRAYING OR HARVESTING CROPS ARK. CODE ANN. §§ 18-43-118	PERSON WHO HARVESTS AGRICULTURAL CROPS AND PERSON WHO SPRAYS FERTILIZER, PESTICIDES, OR HERBICIDES	CROPS, CROPS SPRAYED, OR CROPS NEXT HARVESTED AFTER LAND IS SPRAYED	NO	YES, WITH A CLERK OF THE CIRCUIT COURT IN THE COUNTY THE FIELD IS LOCATED	NOT SPECIFIED	NONE



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MECHANICS' AND MATERIALMENS' LIEN ARK. CODE ANN. §§ 18-44-101 – 18-44-135	CONTRACTOR, SUBCONTRACTOR, OR MATERIAL SUPPLIER WHO SUPPLIES LABOR, SERVICES, MATERIAL, FIXTURES, ENGINES, OR MACHINERY	THE IMPROVEMENT ITSELF, AND UP TO ONE ACRE OF LAND UPON WHICH IMPROVEMENT IS SITUATED, OR TO THE EXTENT OF ANY NUMBER OF ACRES OF LAND UPON WHICH WORK HAS BEEN DONE OR IMPROVED	NO	YES, WITH THE CLERK OF THE COURT IN THE COUNTY IN WHICH THE IMPROVEMENT IS SITUATED, WITHIN 120 DAYS OF THE DATE IN WHICH THE IMPROVEMENT IS DONE OR PERFORMED	AT THE TIME THE LIEN IS FILED	SUBJECT TO PRIOR ENCUMBRANCE GIVEN TO FUND IMPROVEMENT, LABOR, MATERIALS, OR FIXTURES
LIEN FOR SOIL, DRAIN PIPE, OR TILE ARK. CODE ANN §§ 18-44-104 – 18-44-135	FURNISHER OF SOIL, DRAIN PIPE, OR TILE FOR ANY LAND	EACH TRACT OF FORTY ACRES OR LESS THE REAL ESTATE UPON WHICH THE SOIL, DRAIN PIPE, OR TILE IS PLACED	NO	YES, WITH THE CLERK OF THE COURT IN THE COUNTY IN WHICH THE IMPROVEMENT IS SITUATED, WITHIN 120 DAYS OF THE DATE IN WHICH THE IMPROVEMENT IS DONE OR PERFORMED	AT THE TIME THE LIEN IS FILED	PRIORITY OVER SUBSEQUENT LIENS, ENCUMBRANCE, OR MORTGAGE ON THE LAND AFTER THE PURCHASE OF THE SOIL, DRAIN PIPE, OR TILE
LIEN OF ARCHITECT, ENGINEER, SURVEYOR, APPRAISER, LANDSCAPER, ABSTRACTOR, OR TITLE INSURANCE AGENT ARK. CODE ANN. §§ 18-44-105 – 18-44-135	ARCHITECT, ENGINEER, SURVEYOR, APPRAISER, LANDSCAPER, ABSTRACTOR, OR TITLE INSURANCE AGENT WHO PERFORMED WORK ON LAND	LAND, BUILDING, ERECTION, OR IMPROVEMENT UPON LAND TO THE EXTENT OF THE CONTRACT PRICE OR A REASONABLE PRICE FOR THOSE SERVICES	NO	YES, WITH THE CLERK OF THE COURT IN THE COUNTY IN WHICH THE LAND BUILDING, ERECTION, OR IMPROVEMENT IS LOCATED	AT THE TIME THE LIEN IS FILED	LIENS FOR LABOR PERFORMED, MATERIALS OR FIXTURES FINISHED SHALL HAVE EQUAL PRIORITY TOWARD EACH OTHER WITHOUT REGARD TO THE DATE OF FILING THE LIEN
ARTISANS' & REPAIRMENS' LIEN ARK. CODE ANN. § 18-45-101	MECHANIC OR ARTISAN PROVIDING LABOR OR MATERIAL ON PERSONAL PROPERTY	PERSONAL PROPERTY THAT WAS FURNISHED LABOR OR MATERIALS BY MECHANIC OR ARTISAN	YES	YES, LIENHOLDER SHALL GIVE A BOND IN THE SUM TO BE FIXED BY A CIRCUIT COURT WITH PROPER JURISDICTION	AT THE TIME THE WORK IS COMPLETED	NONE



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<p>LIEN OF BLACKSMITHS AND REPAIRMEN ARK. CODE ANN. §§ 18-45-201 – 18-45-207</p>	<p>BLACKSMITHS, HORSESHOERS, AND REPAIRMEN WHO FURNISHED MATERIALS OR PARTS FOR REPAIR OF VEHICLES, INCLUDING FARM IMPLEMENTS</p>	<p>PRODUCT OR OBJECT OF THEIR LABOR, REPAIR, OR STORAGE</p>	<p>AUTHORIZED BUT NOT REQUIRED</p>	<p>YES, WITH THE CIRCUIT COURT HAVING JURISDICTION</p>	<p>ANY TIME WITHIN EIGHTEEN MONTHS AFTER THE ACCOUNTS ARE FILED BY SUITS IN THE CIRCUIT OR DISTRICT COURTY</p>	<p>SUPERIOR TO MORTGAGE OR OTHER OBLIGATION ATTACHING AGAINST THE PROPERTY</p> <p>SUBJECT TO PERFECTED PMSI FOR ALL MOTOR-PROPELLED CONVEYANCES, INCLUDING TRACTORS, BY A FINANCIAL INSTITUTION OR VENDER</p> <p>SUBJECT TO BONA FIDE PURCHASER FOR VALUE OF ANY MOTOR-PROPELLED CONVEYANCES, INCLUDING TRACTORS, WITHOUT EITHER ACTUAL OR CONSTRUCTIVE NOTICE</p>
<p>LIEN FOR STABLE OR WAGONYARD KEEPER ARK. CODE ANN. §§ 18-48-101 – 18-48-102</p>	<p>KEEPERS OF LIVERY, SALE, OR FEED STABLES OR WAGONYARDS</p>	<p>HORSES, MULES, AND OTHER STOCK OR PROPERTY LEFT IN THEIR CHARGE TO BE KEPT, FED, SOLD, OR OTHERWISE CARED FOR AND SHELTERED</p>	<p>YES</p>	<p>PUBLIC NOTICE OF SALE REQUIRED</p>	<p>IMPLICITLY, 30 DAYS AFTER THE NOTICE OF SALE GIVEN TO THE OWNER</p>	<p>PROCEEDS OF SALE PRIORITIZED: (1) COSTS, EXPENSES OF SALE; (2) AMOUNT DUE STABLE KEEPER; (3) BALANCE FOR OWNER OF THE PROPERTY</p>
<p>LIEN FOR FEEDING AND CARE OF LIVESTOCK (AGISTER'S LIEN UNDER WRITTEN CONTRACT) ARK. CODE ANN. §§ 18-48-201 – 18-48-212</p>	<p>PERSON FEEDING, HERDING, PASTURING, KEEPING, OR RANCHING THE LIVESTOCK</p>	<p>LIVESTOCK, AND THEIR INCREASES, PROVIDED WITH SERVICES</p>	<p>YES</p>	<p>ALL WRITTEN CONTRACTS SHALL BE FILED IN OFFICE OF THE CIRCUIT CLERK OF THE COUNTY WHERE THE OWNER RESIDES AND WHERE THE LIVESTOCK IS BEING FED, HERDED, PASTURED, KEPT, OR RANCHED</p>	<p>TEN DAYS FROM DATE WHEN PAYMENT BECAME DUE UNDER THE CONTRACT OR DATE CONTRACT WAS BREACHED</p>	<p>SUPERIOR TO PRIOR CONDITIONAL SALES CONTRACT, CHATTEL MORTGAGES AND OTHER LIENS</p>



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LIEN FOR SERVICES OF MALE ANIMAL ARK. CODE ANN. §§ 18-48-301 – 18-48-305	OWNER OF MALE ANIMAL LET FOR CONTRACTED SUM	FEMALE ANIMAL AND HER OFFSPRING TO WHICH THE MALE IS LET	NO	YES, FILING OF A CIVIL CLAIM WITHIN TWENTY MONTHS AFTER THE RIGHT OF ACTIONS ACCRUES, BEFORE A COURT HAVING JURISDICTION	AT THE TIME OF SERVICE OF THE MALE	NONE
FARM PRODUCTS PROCESSOR'S LIEN ARK. CODE ANN. §§ 18-48-501 – 18-48-504	OWNER OR OPERATOR ENGAGED IN BUSINESS OF ELEVATORS, DRYING, CLEANING, MILLING, OR PROCESSING RICE OR OTHER SIMILAR FARM PRODUCTS	FARM PRODUCT OR BY-PRODUCTS, THAT ARE DRIED, CLEANED, MILLED, OR PROCESSED	AUTHORIZED BUT NOT REQUIRED	NO	ENFORCEMENT OF LIEN MUST COMMENCE WITHIN EIGHT MONTHS AFTER THE PRODUCT OR BY-PRODUCTS ARE DRIED, CLEANED, MILLED, OR PROCESSED	OWNER OF AN PLANT ENGAGED IN THE DRYING, CLEANING, MILLING SHALL HAVE LIEN SUPERIOR TO ALL OTHER PRIOR LIENS
COTTON GINNER'S LIEN ARK. CODE ANN. §§ 18-48-505 – 18-48-506	COTTON GIN OWNER	COTTONSEED AND BALED COTTON	AUTHORIZED BUT NOT REQUIRED	NO	FROM THE TIME LABOR IS PERFORMED	SUPERIOR TO ALL OTHER PRIOR LIENS

Secondary sources:

John A. (Jack) Davis III & Jack A. McNulty, *What You Need to Know about New Laws Passed during the Regular Session of the 87th General Assembly*, 44-SUM Ark. Law. 16 (2009)

(summarizing updates for architects, surveyors, appraisers, landscapers, abstractors and title insurance agent in Materialmen's Lien statute, abstracted in this record) (noting central filing system with the Secretary of State for Agricultural Liens and Farm-Related Security Interests – not abstracted in this record: refer to **§ 4-9-102 (Definitions)**, **§ 4-9-510 (effectiveness of filed record)**, **§ 4-9-526 (filing office rules) (2001, 2018)** (cross-reference to Ark. Admin. Code 116.00.2-1.00 et seq.)

Uniform Commercial Code § 30:26 Agricultural and other statutory liens, section 9-109(a)(2).

Susan Schneider, *Notes on Agricultural Landlord's Liens under Revised Article 9 of the Uniform Commercial Code*, 2002 Ark. L. Notes 53 (2002)

Martha Ruth Hagan, Note, *NEF v. Ag Services of America, Inc.: Revised Article 9 Brings Uncertainty to Holders of Agricultural Landlord's Liens*, 56 Ark. L. Rev. 871 (2004)

