



# The National Agricultural Law Center

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## Statutory Agricultural Lien Rapid Finder Chart: *Texas*

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## Statutory Agricultural Lien Rapid Finder Chart: Texas

TYPE OF LIEN/CLAIMANT	LIEN CLAIMANT	ATTACHED PROPERTY	POSSESSION REQUIRED	FILING REQUIRED	DATE LIEN ATTACHES	EXPRESS STATUTORY PRIORITY
<b>LIEN OF AGRICULTURAL DEVELOPMENT DISTRICT</b>  <b>TEX. AGRIC. CODE ANN. § 60.127</b>	AGRICULTURAL DEVELOPMENT DISTRICT WHICH CREATED THE ASSESSMENT	PROPERTY OR AGRICULTURAL PRODUCT ASSESSED IN THE DISTRICT	NO	NO	DATE THE ORDER IMPOSING THE ASSESSMENT IS MADE	FIRST AND PRIOR LIEN AGAINST THE PROPERTY OR AGRICULTURAL PRODUCT  SUPERIOR TO ANY OTHER LIEN OR CLAIM OTHER THAN A LIEN OR CLAIM FOR COUNTY, SCHOOL DISTRICT, OR MUNICIPAL AD VALOREM TAXES
<b>LIEN ON CITRUS FRUIT</b>  <b>TEX. AGRIC. CODE ANN. §§ 72.025; 72.042 – 72.043</b>	TEXAS DEPARTMENT OF AGRICULTURE	CITRUS FRUIT GROWING OR STANDING ON PREMISES WHICH THE DEPARTMENT SANITIZES FOR MEXICAN FRUIT FLY INFESTATION	NO	NO, BUT THE LIEN IS FIXED BY FILING A LIEN STATEMENT WITH THE CLERK OF THE COUNTY IN WHICH THE SANITIZED PREMISES ARE LOCATED BEFORE THE 31 <sup>ST</sup> DAY FOLLOWING THE LAST DAY OF ACTION BY THE DEPARTMENT UNDER § 72.042(g)	NOT SPECIFIED	NONE
<b>LIEN FOR COTTON PEST CONTROL COSTS</b>  <b>TEX. AGRIC. CODE ANN. § 74.004</b>	TEXAS DEPARTMENT OF AGRICULTURE	REAL PROPERTY WHERE THE HOST PLANTS WERE DESTROYED	NO	NOT, BUT THE LIEN MAY BE PERFECTED BY FILING THE LIEN WITH THE COUNTY CLERK OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED	NOT SPECIFIED	NONE
<b>LIEN ON COTTON</b>  <b>TEX. AGRIC. CODE ANN. § 74.115</b>	COTTON GROWERS' BOLL WEEVIL ERADICATION FOUNDATION	COTTON PRODUCED AND HARVESTED FROM LAND SUBJECT TO A BOLL WEEVIL ERADICATION ASSESSMENT WHICH IS DUE AND UNPAID	NO	NO	60 DAYS AFTER THE DATE THE FOUNDATION MAILS NOTICE OF ASSESSMENT	THE FOUNDATION TAKES FREE FROM LIEN  SAME PRIORITY AS SECURITY INTEREST CREATED BY THE SELLER



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<b>LIEN ON CITRUS FOR UNPAID ASSESSMENT</b> <b>TEX. AGRIC. CODE ANN. § 80.017</b>	CITRUS PRODUCERS' PEST & DISEASE MANAGEMENT CORPORATION	CITRUS PRODUCE WHICH IS LEVIED BY THE ASSESSMENT	NO	NO, BUT NOTICE OF THE ASSESSMENT MUST HAVE BEEN MAILED TO THE PRODUCER OF THE CITRUS	60 DAYS AFTER THE DATE THE CORPORATION MAELS NOTICE OF THE ASSESSMENT ONCITRUS PRODUCED AND HARVESTED THAT YEAR FROM ACREAGE SUBJECT TO THE ASSESSMENT	NONE
<b>AGRICULTURAL CHEMICAL AND SEED LIENS</b> <b>TEX. AGRIC. CODE ANN. §§ 128.001 – 128.048</b>	PERSON WHO PROVIDES AN AGRICULTURAL CHEMICAL, AGRICULTURAL SEED, OR LABOR	PROCEEDS FROM THE CROP TO WHICH THE AGRICULTURAL CHEMICAL, AGRICULTURAL SEED OR LABOR WERE APPLIED	NO	PERFECTED BY FILING WITH OFFICE OF SECRETARY OF STATE	ATTACHES ON THE FIRST DAY AGRICULTURAL CHEMICALS, LABOR OR BOTH ARE FURNISHED	SAME PRIORITY AS A SECURITY INTEREST PERFECTED BY THE FILING OF A FINANCING STATEMENT ON THE SAME DATE  SUBORDINATE TO LABOR CLAIMS FOR WAGES AND SALARIES IN CONNECTION WITH THE PRODUCTION OF AGRICULTURAL PRODUCTS AND THE PROCEEDS OF WHICH ARE SUBJECT TO THE LIEN
<b>LIVESTOCK SELLER'S LIEN</b> <b>TEX. AGRIC. CODE ANN. §§ 148.026 – 148.028</b>	PERSON WHO SELLS SHEEP, CATTLE, GOATS, OR HOGS FOR SLAUGHTER	ANIMAL, ITS CARCASS, ITS PRODUCTS, AND PROCEEDS FROM THE SALE OF THE ANIMAL, CARCASS, OR PRODUCTS  IF AN ANIMAL, ITS CARCASS, OR ITS PRODUCTS ARE COMMINGLED WITH OTHER LIVESTOCK, CARCASSES, OR PRODUCTS SO THE IDENTITY IS LOST, LIEN EXTENDS TO ALL COMMINGLED ANIMALS, CARCASSES, OR PRODUCTS	NO	NO	ATTACHED AND PERFECTED UPON DELIVERY OF THE LIVESTOCK TO THE PURCHASER	PRIORITY OVER ANY OTHER LIEN OR PERFECTED SECURITY INTEREST



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<b>LIEN ON LIVESTOCK FOR TICK ERADICATION</b> TEX. AGRIC. CODE ANN. § 167.108	PEACE OFFICER AND ASSISTANTS WHO GATHER, TREAT, SEIZE, IMPOUND, OR DISPOSE OF LIVESTOCK	LIVESTOCK TREATED, IMPOUNDED, SEIZED, OR DISPOSED FOR TICK ERADICATION	AUTHORIZED BUT NOT REQUIRED	YES, WITH THE CLERK OF THE COUNTY IN WHICH THE CATTLE ARE LOCATED WITHIN SIX MONTHS AFTER THE LAST TREATMENT OR OTHER ACTION GIVING RISE TO THE LIEN	NOT SPECIFIED	NONE
<b>ANIMAL FEED LIEN</b> TEX. AGRIC. CODE ANN. §§ 188.001 – 188.048	PERSON WHO PROVIDES ANIMAL FEED	PROCEEDS FROM THE LIVESTOCK TO WHICH THE FEED WAS GIVEN, AS WELL AS ANIMAL BY-PRODUCTS AND ISSUE	NO	YES, PERFECTED BY FILING A NOTICE OF CLAIM OF LIEN WITH THE OFFICE OF SECRETARY OF STATE	FIRST DAY ANIMAL FEED IS FURNISHED TO LIEN DEBTOR	SAME PRIORITY AS A SECURITY INTEREST PERFECTED BY THE FILING OF A FINANCING STATEMENT ON THE SAME DATE  SUBORDINATE TO LABOR CLAIMS FOR WAGES AND SALARIES IN CONNECTION WITH THE PRODUCTION OF AG PRODUCTS AND CLAIMS FOR CHARGES FOR THE CARE OF THE LIVESTOCK WHOSE PROCEEDS ARE SUBJECT TO THE LIEN
<b>SOIL AND WATER CONSERVATION</b> TEX. AGRIC. CODE ANN. § 201.101	SOIL AND WATER CONSERVATION DISTRICT FOR NOTE ISSUED REGARDING REPAIRS, ADDITIONS OR IMPROVEMENTS PERFORMED WITHIN THE DISTRICT'S STATUTORY AUTHORITY TO DO	REAL PROPERTY OR EQUIPMENT ON WHICH THE REPAIR, ADDITION OR IMPROVEMENT WAS COMPLETED	NO	NO	NOT SPECIFIED	NONE
<b>WAREHOUSE LIEN</b> TEX. BUS. & COM. CODE ANN. §§ 7.209 – 7.210	WAREHOUSE	GOODS COVERED BY A WAREHOUSE RECEIPT OR STORAGE AGREEMENT OR ON THE PROCEEDS THEREOF	YES, LIEN IS LOST IF WAREHOUSE VOLUNTARILY DELIVERS OR UNJUSTIFIABLY REFUSES TO DELIVER	ENFORCABLE BY COMMERCIALY REASONABLE SALE	THE DATE OF THE WAREHOUSE RECEIPT OR STORAGE AGREEMENT	ENFORCABLE BY COMMERCIALY REASONABLE SALE



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<b>CARRIER'S LIEN</b> TEX. BUS. & COM. CODE ANN. §§ 7.307 – 7.308	CARRIER	GOODS COVERED BY A BILL OF LADING ON THE PROCEEDS THEREOF	YES, LIEN IS LOST IF CARRIER VOLUNTARILY DELIVERS OR UNJUSTIFIABLY REFUSES TO DELIVER	ENFORCABLE BY COMMERCIALY REASONABLE SALE	AFTER THE DATE OF THE CARRIER'S RECEIPT OF THE GOODS FOR STORAGE OR TRANSPORTATION	ENFORCABLE BY COMMERCIALY REASONABLE SALE
<b>LIEN ASSESSMENT FOR NOXIOUS WEED ABATEMENT</b> TEX. HEALTH & SAFETY CODE ANN. § 343.023	COUNTY AUTHORITY	REAL PROPERTY UPON WHICH THE COUNTY INCURRED COSTS FOR DESTROYING NOXIOUS WEEDS	NO	YES, THE COMMISSIONERS COURT OF THE COUNTY MUST FILE A NOTICE WITH THE COUNTY CLERK OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED	WHEN THE NOTICE OF LIEN IS FILED	SUBORDINATE TO A PREVIOUSLY RECORDED BONA FIDE MORTGAGE LIEN ATTACHED TO THE REAL PROPERTY
<b>LIEN AGAINST EMPLOYER FOR UNPAID WAGES</b> TEX. LABOR CODE ANN. §§ 61.081 – 61.085	TEXAS WORKFORCE COMMISSION	EMPLOYER'S PROPERTY	NO	NOT REQUIRED, BUT THE LIEN MAY BE FILED IN THE "STATE TAX LIENS" BOOK KEPT BY THE COUNTY CLERK IN THE COUNTY WHICH THE EMPLOYER'S PROPERTY IS LOCATED	WHEN THE COMMISSION'S ORDER BECOMES FINAL	SUPERIOR TO ALL OTHER LIENS EXCEPT LIENS FOR AD VALOREM TAXES
<b>MECHANIC'S, CONTRACTOR'S &amp; MATERIALMAN'S LIEN</b> TEX. PROP. CODE ANN. §§ 53.001 – 53.287	PERSON WHO PROVIDES LABOR OR MATERIALS FOR IMPROVEMENT ON REAL PROPERTY	REAL PROPERTY IMPROVED UPON AND HOUSES, BUILDINGS, FIXTURES OR IMPROVEMENTS ON THE PROPERTY	NO	YES, MUST FILE AN AFFIDAVIT WITH THE COUNTY CLERK OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED, EITHER: (A) NOT LATER THAN THE 15 <sup>TH</sup> DAY OF THE FOURTH CALENDAR MONTH AFTER THE DAY ON WHICH THE INDEBTEDNESS ACCRUES; OR (B) IN THE CASES OF A RESIDENTIAL CONSTRUCTION PROJECT, NOT LATER THAN THE 15 <sup>TH</sup> DAY OF THE THIRD CALENDAR MONTH AFTER THE DAY ON WHICH THE INDEBTEDNESS ACCRUES	WHEN INDEBTEDNESS ACCRUES ACCORDING TO THE STIPULATIONS UNDER TEX. PROP. CODE ANN. § 53.053	PREFERRED OVER ANY PRIOR LIEN, ENCUMBRANCE OR MORTGAGE ON THE LAND ON WHICH IT IS LOCATED  SUBCONTRACTORS, LABORERS AND MATERIALMEN WHO HAVE A MECHANIC'S LIEN HAVE PREFERENCE OVER OTHER CREDITORS OF THE ORIGINAL CONTRACTOR  PERFECTED MECHANIC'S LIENS ARE EQUAL TO ONE ANOTHER



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<b>AGRICULTURAL LANDLORD'S LIEN</b> <b>TEX. PROP. CODE ANN. §§ 54.001 – 54.007</b>	LANDLORD WHO LEASES LAND OR TENEMENTS AT WILL FOR A PERIOD OF YEARS	CROPS GROWN ON THE LEASED LAND  PROPERTY ON THE LEASED LAND THAT THE LANDLORD FURNISHES TO THE TENANT TO GROW, PREPARE, AND MARKET THE CROPS	NO	NO	NOT SPECIFIED	LIEN IS DESIGNATED AS A "PREFERENCE" LIEN
<b>FARM, FACTORY, AND STORE WORKER'S LIEN</b> <b>TEX. PROP. CODE ANN. §§ 58.001 – 58.009</b>	SPECIFIED WORKERS INCLUDING FARM HANDS, MILL OPERATORS, AND LOGGERS EMPLOYED UNDER CONTRACT	THINGS OF VALUE OWNED, CONTROLLED BY, OR POSSESSED BY THE EMPLOYER, OR THE EMPLOYER'S AGENT, WHICH WERE CREATED BY THE LIEN CLAIMANT'S LABOR OR CONNECTED TO THE PERFORMANCE OF THE LABOR	NO	YES, WORKER MUST FILE A COPY OF AN ACCOUNT OF SERVICE WITH THE CLERK OF THE COUNTY IN WHICH THE LABOR WAS PERFORMED	NOT SPECIFIED	FIRST PRIORITY LIEN, EXCEPT THAT A FARM HAND'S LIEN IS SUBORDINATE TO A LANDLORD'S LIEN
<b>WORKER'S LIEN</b> <b>TEX. PROP. CODE ANN. §§ 70.001; 70.004 – 70.008</b>	WORKER WHO BY LABOR REPAIRS AN ARTICLE	ARTICLE REPAIRED BY THE LIEN CLAIMANT	YES, EXCEPT FOR MOTOR VEHICLES, MOTORBOATS, VESSELS, OR OUTBOARD MOTORS	NO	NOT SPECIFIED	NONE
<b>STABLE KEEPER'S AND PASTURER'S LIEN</b> <b>TEX. PROP. CODE ANN. §§ 70.003; 70.005 – 70.007</b>	STABLE KEEPER WITH WHOM AN ANIMAL IS LEFT FOR CARE  PERSON WHO OWNS OR LEASES PASTURES WITH WHOM ANIMALS ARE LEFT FOR CARE OR GRAZING	ANIMAL CARED FOR OR LEFT FOR GRAZING	YES	NO	NOT SPECIFIED	NONE
<b>COTTON GINNER'S LIEN</b> <b>TEX. PROP. CODE ANN. §§ 70.003; 70.005 – 70.007</b>	COTTON GINNER TO WHOM A COTTON CROP HAS BEEN DELIVERED FOR PROCESSING OR WHO IS TO BE PAID FOR HARVESTING A COTTON CROP UNDER A CONTRACT	COTTON PROCESSED OR HARVESTED	PERMITTED BUT NOT REQUIRED	NO	DATE THE COTTON HAS BEEN DELIVERED FOR PROCESSING OR HARVESTED	PRIORITY TO ALL OTHER LIENS ON THE COTTON



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<b>VETERINARIAN'S LIEN</b> TEX. PROP. CODE ANN. § 70.010	VETERINARIAN	ANIMAL PROVIDED WITH VETERINARY CARE OR THE PROCEEDS OF ITS SALE	NOT REQUIRED, BUT PERMITTED	NO	THE 20 <sup>TH</sup> DAY AFTER THE DATE THE VETERINARIAN FIRST PROVIDES CARE TO THE ANIMAL	SUPERIOR TO ALL OTHER LIENS ON THE ANIMAL FOR THE PERIOD DURING WHICH THE VETERINARIAN RETAINS POSSESSION, REGARDLESS OF CREATION AND PRIORITY DATE  SUPERIOR TO OTHER LIENS AS PROVIDED IN TEX. BUS. & COMM. CODE §§ 9.301 ET SEQ. IF THE VETERINARIAN DOES NOT RETAIN POSSESSION
<b>STOCK BREEDER'S LIEN</b> TEX. PROP. CODE ANN. §§ 70.201 – 70.202	OWNER OR KEEPER OF A STALLION, JACK, BULL, OR BOAR CONFINED TO BE BRED FOR PROFIT	OFFSPRING OF THE MALE ANIMAL	NO	NO	DATE OF BIRTH OF THE OFFSPRING	LIEN IS DESIGNATED AS A "PREFERENCE" LIEN
<b>AGRICULTURAL LIENS</b> TEX. PROP. CODE ANN. §§ 70.401 – 70.410	AGRICULTURAL PRODUCER WHO RECEIVES CONSIDERATION FOR SELLING AN AGRICULTURAL CROP GROWN, PRODUCED, OR HARVESTED BY THE PRODUCER	EVERY CROP, IN RAW OR PROCESSED FORM, THAT HAS BEEN TRANSFERRED OR DELIVERED BY THE AGRICULTURAL PRODUCER AND IS IN POSSESSION OF THE CONTRACT PURCHASER	NO	PERFECTED BY FILING WITH OFFICE OF SECRETARY OF STATE	DATE ON WHICH PHYSICAL POSSESSION OF THE CROP IS DELIVERED OR TRANSFERRED BY THE PRODUCER TO THE WAREHOUSE, PURCHASER, OR PURCHASER'S AGENT	NOT SPECIFIED
<b>IRRIGATION LIEN ON CROPS</b> TEX. WATER CODE ANN. § 11.051	PERSON WHO CONSTRUCTS FACILITIES FOR IRRIGATION WATER AND PROVIDES WATER FOR IRRIGATION	IRRIGATED CROPS	NO	NO	NOT SPECIFIED	PREFERENCE LIEN SUPERIOR TO ALL OTHER LIENS ON THE IRRIGATED CROPS
<b>IRRIGATION DISTRICT LIEN AGAINST CROPS FOR UNPAID ASSESSMENT</b> TEX. WATER CODE ANN. § 58.309	IRRIGATION DISTRICT THAT ESTABLISHED THE ASSESSMENT	CROPS GROWN ON LAND WHERE ASSESSMENT HAS NOT BEEN PAID	NO	NO	DATE THE ASSESSMENT PAYMENT IS DUE	FIRST PRIORITY LIEN THAT IS SUPERIOR TO ALL OTHER LIENS



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<b>IRRIGATION DISTRICT LIEN AGAINST LAND</b> TEX. WATER CODE ANN. § 58.509	IRRIGATION DISTRICT THAT ESTABLISHED THE CHARGES OR ASSESSMENTS	ALL LAND WITHIN THE IRRIGATION DISTRICT SUBJECT TO THE CHARGES OR ASSESSMENTS	NO	NO	NOT SPECIFIED	NONE

