
SENATE BILL 6703

State of Washington 57th Legislature

2002 Regular Session

By Senators Rasmussen, Hochstatter, Shin, Sheahan, Swecker, Hewitt, Honeyford and Hale

Read first time 01/28/2002. Referred to Committee on Agriculture & International Trade.

1 AN ACT Relating to agricultural liens; and amending RCW 60.13.040
2 and 60.13.060.

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

4 **Sec. 1.** RCW 60.13.040 and 2001 c 32 s 6 are each amended to read
5 as follows:

6 (1) A producer or commercial fisherman claiming a processor or
7 preparer lien may file a statement evidencing the lien with the
8 department of licensing after payment from the processor, conditioner,
9 or preparer to the producer or fisherman is due and remains unpaid.
10 For purposes of this subsection and RCW 60.13.050, payment is due on
11 the date specified in the contract, or if not specified, then within
12 (~~thirty~~) one hundred eighty days from time of delivery.

13 (2) The statement shall be in a record, authenticated by the
14 producer or fisherman, and shall contain in substance the following
15 information:

16 (a) A true statement of the amount demanded after deducting all
17 credits and offsets;

18 (b) The name of the processor, conditioner, or preparer who
19 received the agricultural product or fish to be charged with the lien;

1 (c) A description sufficient to identify the agricultural product
2 or fish to be charged with the lien;

3 (d) A statement that the amount claimed is a true and bona fide
4 existing debt as of the date of the filing of the notice evidencing the
5 lien;

6 (e) The date on which payment was due for the agricultural product
7 or fish to be charged with the lien; and

8 (f) The department of licensing may by rule prescribe standard
9 filing forms, fees, and uniform procedures for filing with, and
10 obtaining information from, filing officers.

11 **Sec. 2.** RCW 60.13.060 and 1987 c 148 s 5 are each amended to read
12 as follows:

13 (1) The processor lien shall terminate (~~(six)~~) twelve months after,
14 and the preparer lien shall terminate fifty days after, the later of
15 the date of attachment or filing, unless a suit to foreclose the lien
16 has been filed before that time as provided in RCW 60.13.070.

17 (2) If a statement has been filed as provided in RCW 60.13.040 and
18 the producer or commercial fisherman has received payment for the
19 obligation secured by the lien, the producer or fisherman shall
20 promptly file with the department of licensing a statement declaring
21 that full payment has been received and that the lien is discharged.
22 If, after payment, the producer or fisherman fails to file such
23 statement of discharge within ten days following a request to do so,
24 the producer or fisherman shall be liable to the processor,
25 conditioner, or preparer in the sum of one hundred dollars plus actual
26 damages caused by the failure.

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