

SENATE FILE NO. SF0077

Liens for electrical services.

Sponsored by: Senator(s) Larson and Representative(s)
Gingery

A BILL

for

1 AN ACT relating to corporations; providing for a lien for
2 electrical services; specifying filing procedures,
3 attachment, priority, termination and foreclosure of a
4 lien; and providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 17-20-1802 is created to read:

9

10 **17-20-1802. Liens for electrical services.**

11

12 (a) The cooperative utility shall have a lien for the
13 materials or services provided to a member from the time of
14 giving notice of the lien. The lien shall attach to the
15 real or personal property of the member at the location

1 where the materials or services were provided, if the
2 amount due to the utility:

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4 (i) Is greater than five thousand dollars
5 (\$5,000.00); and

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7 (ii) Has been unpaid for more than ninety (90)
8 days.

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10 (b) The notice required by subsection (a) of this
11 section shall be given to any member against whom the lien
12 is asserted and shall be given by certified mail, return
13 receipt requested at least thirty (30) days prior to filing
14 the lien.

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16 (c) Any lien filed under this section shall be
17 perfected by filing a sworn statement of the notice of the
18 lien with the appropriate office for perfecting the
19 security interest, together with the appropriate fees. The
20 notice of the lien shall contain the information required
21 by W.S. 34.1-9-501 through 34.1-9-527. At the time the
22 lien is filed the lien holder shall send a copy of the lien
23 to the member against whose property the lien is filed.

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(d) The priority of a perfected lien under subsection (c) of this section shall be determined by the date and time the lien is filed and shall not have a priority over other perfected liens on the same property which have been perfected prior to the filing date. The lien may be foreclosed in the manner provided pursuant to W.S. 34.1-9-601 through 34.1-9-608.

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9 (e) For purposes of foreclosure of the lien, the lien
10 holder is the secured party and the member for whom the
11 electricity or services were furnished is the debtor and
12 each has the respective rights and duties of a secured
13 party and a debtor pursuant to W.S. 34.1-9-501 through
14 34.1-9-507.

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16 **Section 2.** This act is effective July 1, 2007.

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18 (END)