

## **IDAPA 34 – SECRETARY OF STATE**

### **Business Division**

#### **34.05.05 – Rules for Liens in Crops for Seed and Farm Labor**

##### **Who does this rule apply to?**

*Any person filing a lien, amendment, or termination of liens in crops for seed or liens in crops for farm labor as well as the creation and distribution of a master list of liens in crops for seed or liens in crops for farm labor.*

##### **What is the purpose of this rule?**

*Provides the requirements for filing a lien in crops for seed or liens in crops for labor; for the amendment or termination of these types of liens; as well as the manner of distribution of this information to those who subscribe to the Seed and Labor Lien list.*

##### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statutes passed by the Idaho Legislature:*

Liens, Mortgages and Pledges -

Liens in Crops:

- [Section 45-313\(3\), Idaho Code](#) - Lien Search
- [Section 45-316, Idaho Code](#) - Administrative Rulemaking

##### **Who do I contact for more information on this rule?**

Secretary of State

700 West Jefferson Street, Room E205

Boise, ID 83720-0080

Phone: (208) 334-2852

Fax: (208) 334-2282

Email: [chouck@sos.idaho.gov](mailto:chouck@sos.idaho.gov)

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**34.05.05 – LIST OF FEDERAL LIENS IN AGRICULTURAL CROPS**

**000. LEGAL AUTHORITY AND REFERENCES.**

**01. Title 45, Chapter 2, Idaho Code.** (7-1-93)

**02. Title 67, Chapter 52, Idaho Code.** (7-1-93)

**03. IDAPA 34.05.02, “Rules Governing Liens in Crops, for Seed, and Farm Labor,”** Office of the Secretary of State. (7-1-93)

**001. -- 003. (RESERVED)**

**004. DEFINITIONS AND ABBREVIATIONS.**

Where terms used in this rule are not defined herein, definitions and usage of terms from the references are applicable. (7-1-93)

**01. IRS.** United States Internal Revenue Service, as well as other federal entities which may file notices of federal lien pursuant to Title 45, Chapter 2, Idaho Code. (7-1-93)

**02. SOS.** Idaho Secretary of State. (7-1-93)

**005. -- 010. (RESERVED)**

**011. NOTICE OF FEDERAL LIENS IN AGRICULTURAL CROPS.**

When the IRS files a notice of lien in personal property of an entity described in sub-paragraph (1), (2) or (3) of paragraph (c) of Section 45-202, Idaho Code, and the property includes agricultural crops, the IRS may identify the notice as pertaining to crops. The identification shall be by conspicuous notation on the face of the notice. (7-1-93)

**012. COMPILATION AND DISTRIBUTION OF LIST.**

**01. Content.** The SOS shall compile a list of effective notices of federal liens pertaining to agricultural crops, arranged alphabetically by lienee name. Each entry on the list will include; (7-1-93)

**a.** The name and address of the lienee(s); (7-1-93)

**b.** The name of the federal entity claiming the lien; (7-1-93)

**c.** The SOS document number; (7-1-93)

**d.** The date of attachment of the lien; and (7-1-93)

**e.** The date and time of filing of the notice. (7-1-93)

**02. Schedule.** The SOS will publish the list on the same schedule as the list of notices of claim of lien in crops for seed or farm labor, as prescribed in IDAPA 34.05.02, Section 015, “Rules Governing Liens in Crops, For Seed, and Farm Labor,” Office of the Secretary of State. (7-1-93)

**03. Recipients.** The SOS will distribute the list to persons who subscribe for the list of notices of claim of lien in crops pursuant to IDAPA 34.05.02, Section 014, “Rules Governing Liens in Crops, For Seed, and Farm Labor,” Office of the Secretary of State, at no additional charge. (7-1-93)

**013. -- 999. (RESERVED)**

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