

State of Arkansas  
75th General Assembly  
Regular Session, 1985  
By: Representative Wynne

HOUSE BILL 1042

"AN ACT TO AMEND SECTION 9-312 OF ACT 185 OF 1961, AS AMENDED [ARK. STAT. 85-9-312], TO PROVIDE THAT A PERFECTED SECURITY INTEREST IN CROPS FOR NEW VALUE GIVEN NOT MORE THAN THREE MONTHS BEFORE THE CROPS BECOME GROWING CROPS TAKES PRIORITY OVER AN EARLIER PERFECTED SECURITY INTEREST WHICH SECURES OBLIGATIONS DUE MORE THAN ONE MONTH BEFORE THE CROPS BECOME GROWING CROPS, EVEN THOUGH THE PERSON GIVING NEW VALUE HAD KNOWLEDGE OF THE EARLIER SECURITY INTEREST; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Subsection (2) of Section 9-312 of Act 185 of 1961, as amended, the same being Arkansas Statute 85-9-312(2), is hereby amended to read as follows:

"(2) A perfected security interest in crops for new value given to enable the debtor to produce the crops during the production season and given not more than three (3) months before the crops become growing crops by planting or otherwise takes priority over an earlier perfected security interest to the extent that such earlier interest secures obligations due more than one (1) month before the crops become growing crops by planting or otherwise, even though the person giving new value had knowledge of the earlier security interest."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

