

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 2451

5 By: Representative Maloch
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For An Act To Be Entitled

9 AN ACT TO PROVIDE LICENSED VETERINARIANS A LIEN
10 FOR PROFESSIONAL VETERINARY SERVICES; AND FOR
11 OTHER PURPOSES.
12

Subtitle

13 AN ACT TO PROVIDE LICENSED VETERINARIANS
14 A LIEN FOR PROFESSIONAL VETERINARY
15 SERVICES.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 17, Chapter 101, Subchapter 1 is
22 amended to add an additional section to read as follows:

23 17-101-104. Lien for services.

24 (a) As used in this section:

25 (1) "Animal" means all vertebrate and invertebrate species other
26 than man that may be treated by a veterinarian, including without limitation,
27 mammals, birds, fish, shellfish, livestock and poultry, and dogs, cats, and
28 other pets; and

29 (2) "Professional veterinary service" means any service provided
30 by or under the supervision of a licensed veterinarian for the treatment,
31 care, feeding, or boarding of an animal.

32 (b)(1) A licensed veterinarian has a lien for the actual and
33 reasonable value of:

34 (A) Any professional veterinary service;

35 (B) The cost of any product used in the course of any
36 professional veterinary service; and



1 (C) Customary finance charges for any unpaid professional
2 veterinary service.

3 (2) A lien under this section attaches as of the date of the
4 professional veterinary service.

5 (c) For the purposes of this section, a licensed veterinarian is a
6 secured party and the owner of an animal is a debtor under the Uniform
7 Commercial Code -- Secured Transactions, § 4-9-101 et seq.

8 (d) A licensed veterinarian may retain possession of an animal until
9 all charges for any professional veterinary service relating to the animal
10 including the cost of any product used in the course of the professional
11 veterinary service are paid.

12 (e)(1) A licensed veterinarian may perfect and enforce a lien under
13 this section if the charges due for any professional veterinary service
14 including the cost of any product used in the course of the professional
15 veterinary service are not paid within ten (10) days after demand upon the
16 owner of the affected animal by certified mail, return receipt requested,
17 addressed to the owner at the owner's last known residence.

18 (2)(A) The failure by a licensed veterinarian to make demand
19 under subdivision (e)(1) of this section does not affect the validity of a
20 lien under this section.

21 (B) However, a licensed veterinarian is barred from
22 exercising any lawful remedy until demand is made under subdivision (e)(1) of
23 this section.

24 (3) A licensed veterinarian is not liable for any damages
25 occasioned by the failure of the owner of an animal to receive a properly
26 addressed and mailed demand under this section.

27 (f) A licensed veterinarian's lien under this section:

28 (1) May be perfected by filing a financing statement in the
29 office of the:

30 (A) Circuit clerk of the county where the owner of the
31 animal that received the professional veterinary service resides; and

32 (B) Secretary of State;

33 (2) Has priority over any subsequently filed lien encumbering
34 the same animal unless the other lien is specifically provided priority by
35 law; and

36 (3) May be enforced by any remedy available under the Uniform

1 Commercial Code -- Secured Transactions, § 4-9-101 et seq.

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