

2016 Kansas Statutes

84-9-317. Interests that take priority over or take free of security interest or agricultural lien. (a) **Conflicting security interests and rights of lien creditors.** A security interest or agricultural lien is subordinate to the rights of:

- (1) A person entitled to priority under K.S.A. 2016 Supp. 84-9-322, and amendments thereto; and
- (2) except as otherwise provided in subsection (e), a person that becomes a lien creditor before the earlier of the time:
 - (A) The security interest or agricultural lien is perfected; or
 - (B) on the conditions specified in K.S.A. 2016 Supp. 84-9-203(b)(3), and amendments thereto, is met and a financing statement covering the collateral is filed.
- (b) **Buyers that receive delivery.** Except as otherwise provided in subsection (e), a buyer, other than a secured party, of tangible chattel paper, tangible documents, goods, instruments, or a certificated security takes free of a security interest or agricultural lien if the buyer gives value and receives delivery of the collateral without knowledge of the security interest or agricultural lien and before it is perfected.
- (c) **Lessees that receive delivery.** Except as otherwise provided in subsection (e), a lessee of goods takes free of a security interest or agricultural lien if the lessee gives value and receives delivery of the collateral without knowledge of the security interest or agricultural lien and before it is perfected.
- (d) **Licensees and buyers of certain collateral.** A licensee of a general intangible or a buyer, other than a secured party, of collateral other than tangible chattel paper, tangible documents, goods, instruments or a certificated security takes free of a security interest if the licensee or buyer gives value without knowledge of the security interest and before it is perfected.
- (e) **Purchase-money security interest.** Except as otherwise provided in K.S.A. 2016 Supp. 84-9-320 and 84-9-321, and amendments thereto, if a person files a financing statement with respect to a purchase-money security interest before or within 20 days after the debtor receives delivery of the collateral, the security interest takes priority over the rights of a buyer, lessee, or lien creditor which arise between the time the security interest attaches and the time of filing.

History: L. 2000, ch. 142, § 37; L. 2002, ch. 159, § 13; L. 2007, ch. 90, § 75; L. 2012, ch. 84, § 6; July 1, 2013.

Revisor's Note:

Former section 84-9-317 was repealed by L. 2000, ch. 142, § 155 and the number reassigned to the current text.