

# Chapter 80

(1975 reprint)

## Assignments

- 80.010** Assignment of chose in action; payment by debtor without notice
- 80.020** Effect of an assignment on a defense

### CROSS REFERENCES

- Forest products and booming equipment brands, assignment, 532.080
- Presumption of fraud where sale or assignment of personalty is without change of possession, 41.360
- Residential Landlord and Tenant Act, separation of rent and obligations to maintain premises prohibited, 91.750
- Trademarks, assignment, 647.065
- Trust deed, foreclosure of if assignment recorded, 86.735
- 80.010**
- Civil defense injury benefits, assignability, 401.840
- Collection agency, property right in account assigned for collection, 697.235
- Debt consolidation business defined, 697.615
- Execution of instrument defined, 42.020
- Judgments, assignment, recordation, 18.400
- Tidal lands permit, easement or lease relating to, assignability, 274.785
- Teacher's retirement benefits, unassignable, 239.261
- Trust, assignment of, necessity for writing, 41.560
- Veterans' loans, assignability of rights, payments, or proceeds, 407.110
- Workmen's compensation benefits, assignability, 656.234
- 80.020**
- Claims against public corporations for money illegally charged or exacted, actions and suits by assignees, 30.380
- Cooperatives, dissolved, actions and suits on assignments, 62.690
- Corporations, dissolved, actions and suits on assignments, 57.585
- Foreign corporations or associations, dissolved, actions and suits on assignments, 57.735
- Motor vehicle retail instalment contract, buyer's rights against seller preserved, 83.650
- Usurious contract, recovery on by assignee, 82.130



**ASSIGNMENTS**

**80.010 Assignment of chose in action; payment by debtor without notice.** Any bona fide assignment of a chose in action by way of sale or pledge made in writing for a good, valuable and adequate consideration is deemed completed at the time the writing is executed by the assignor and takes effect at the time of execution according to the terms of the writing without the giving of notice to the debtor therein mentioned unless such notice is required by statute; but if notice is not given to a debtor, and such debtor, without knowledge of the assignment pays or discharges in whole or in part his obligation to the assignor or to any

subsequent assignee of the chose in action who has given notice, such payment constitutes a discharge of the debtor to the extent thereof without prejudice to any right or remedy between the several assignees.

**80.020 Effect of an assignment on a defense.** In the case of an assignment of a thing in action, an action or suit by the assignee is without prejudice to any setoff or other defense existing at the time of, or before notice of the assignment; but this section does not apply to a negotiable instrument transferred in good faith and upon good consideration before due.

