

Model Administrative Rules
International Association of Commercial Administrators
SECURED TRANSACTION SECTION

Uniform Commercial Code, Revised Article 9

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Section 1 -- General Provisions

100 Definitions. [Full version statement from 100.1](#)

~~100.1 "Active record" means a UCC record that has not reached the one-year anniversary of its lapse date.~~

~~100.2 "Address" means a name or other identifying information, either a street address, route number (may include box) or PO Box number plus the city, state and zip code. See [FO Chart for Filing -2d, page 2](#)~~

100.3 "Amendment" means a UCC record that amends the information contained in a financing statement. Amendments include assignments, continuations and terminations.

100.4 "Assignment" is an amendment that assigns all or a part of a secured party's power to authorize an amendment to a financing statement.

100.5 "Continuation statement" shall have the meaning prescribed by 9-102(27).

100.6 "Correction statement" means a UCC record that indicates that a financing statement is inaccurate or wrongfully filed.

100.7 "File number" shall have the meaning prescribed by 9-519(b)

100.8 "Filing office" and "filing officer" mean [*identify the entity charged by the legislature with the administration of the UCC filing system*].

100.9 "Filing officer statement" means a statement entered into the filing office's UCC information management system to correct an error by the filing office.

100.10 "Financing statement" shall have the meaning prescribed by 9-102(39).

~~100.10 "Inactive record" means a UCC record that has reached the first anniversary of its lapse date.~~

100.11 "Individual" means a human being, or a decedent in the case of a debtor that is such decedent's estate.

100.12 "Initial financing statement" means a UCC record containing the information required to be in an initial financing statement and that causes the filing office to establish the initial record of existence of a financing statement.

100.13 "Organization" means a legal person who is not an individual.

100.14 "Remitter" means a person who tenders a UCC record to the filing officer for filing, whether the person is a filer or an agent of a filer responsible for tendering the record for filing. "Remitter" does not include a person responsible merely for the delivery of the record to the filing office, such as the postal service or a courier service but does include a service provider who acts as a filer's representative in the filing process.

100.15 "Secured party of record" shall have the meaning prescribed in 9-511. Non-statutory definition to be included. Review value of this definition

100.16 "Termination statement" shall have the meaning prescribed by 9-102(79).

100.17 "UCC" means the Uniform Commercial Code as adopted in this State.

100.18 "UCC record" means an initial financing statement, an amendment, an assignment, a continuation, a termination or a correction statement and shall not be deemed to refer exclusively to paper or paper-based writings.

Add definition for UCC information management system

101 UCC records may be tendered for filing at the filing office as follows.

101.1 Personal delivery, at the filing office's street address. The file time for a UCC record delivered by this method is when delivery of the UCC record is accepted by the filing office (even though the UCC record may not yet have been accepted for filing and subsequently may be rejected). Clarify 101.1 and 101.2

101.2 Courier delivery, at the filing office's street address. The file time for a UCC record delivered by this method is, notwithstanding the time of delivery, at the earlier of the time the UCC_record is first examined by a filing officer for processing (even though the UCC record may not yet have been accepted for filing and may be subsequently rejected), or the next close of business following the time of delivery.

[Alternative language - , notwithstanding the time of delivery, the next close of business following the time of delivery (even though the UCC record may not yet have been accepted for filing and may be subsequently rejected)]

A UCC record delivered after regular business hours or on a day the filing office is not open for business [, if not examined for processing sooner,] will have a

filing time of the close of business on the next day the filing office is open for business.

101.3 Postal service delivery, to the filing office's mailing address. The file time for a UCC record delivered by this method is the next close of business following the time of delivery (even though the UCC record may not yet have been accepted for filing and may be subsequently rejected). A UCC record delivered after regular business hours or on a day the filing office is not open for business will have a filing time of the close of business on the next day the filing office is open for business.

101.4 Electronic mail and telefacsimile delivery, to the filing office's e-mail address or the filing office's fax filing telephone number. The file time for a UCC record delivered by this method is, notwithstanding the time of delivery, at the earlier of the time the UCC record is first examined by a filing officer for processing (even though the UCC record may not yet have been accepted for filing and may be subsequently rejected), or the next close of business following the time of delivery

[Alternative language - , notwithstanding the time of delivery, the 5:00 P.M. on a day the filing office is open to the public next following the time of delivery (even though the UCC record may not yet have been accepted for filing and may be subsequently rejected)].

A UCC record delivered after regular business hours or on a day the filing office is not open for business [, if not examined for processing sooner,] will have a filing time of the close of business on the next day the filing office is open for business.

101.4.1 *[Include any additional requirements, such as fee payment arrangements, for delivering UCC documents by telefacsimile here.]*

101.5 Electronic filing. UCC records, excluding correction statements and filing officer statements, may be transmitted electronically using the XML standard approved by the International Association of Commercial Administrators or using the ANSI X12 154 (EDI??) transmission standard. UCC records may also be transmitted electronically through on-line entry. The file time for a UCC record delivered by this method is the time that the filing office's UCC information management system analyzes the relevant transmission and determines that all the required elements of the transmission have been received in a required format and are machine-readable.

102 Search request delivery. UCC search requests may be delivered to the filing office by any of the means by which UCC records may be delivered to the filing office. A search request for a debtor named on an initial financing statement may be made the initial financing statement form if the form is accepted and the relevant search fee is also tendered.

103 Forms. The forms prescribed by 9-521 shall be accepted by the filing office. Forms approved by the International Association of Commercial Administrators on or prior to July 1, 2001 and forms approved by the filing office shall be accepted. Create alternative language for IACA approved forms only as well as only these forms will be accepted.

104 Fees.

Alternate Language I for jurisdictions that set fees in statute

[The fee for filing a UCC record is prescribed by 9-525.]

Alternate language for jurisdictions that set filing fees by rule

[104.1 Filing fee. The fee for filing and indexing a UCC record of one or two pages communicated on paper or in a paper-based format (including faxes) is \$ [X]. If there are additional pages, the fee is \$ [2X]. The fee for filing and indexing a UCC record communicated by a medium authorized by these rules which is other than on paper or in a paper-based format shall be \$ [½X].

104.2 Additional fees. In addition to fees set forth in rules 105.1, a fee of \$ [3X] shall be paid for an initial financing statement that indicates that it is filed in connection with a public-finance transaction, a fee of \$ [2X] shall be paid for an initial financing statement that indicates that it is filed in connection with a manufactured-home transaction, and a fee of \$ [X] shall be paid for each additional debtor name more than two that is required to be indexed if the relevant UCC record is communicated in writing.

104.3 UCC search fee. The fee for a UCC search request communicated on paper or in a paper-based format is \$ [X]. The fee for filing and indexing a UCC search request communicated by a medium authorized by these rules which is other than on paper or in a paper-based format shall be \$ [X].

104.4 UCC search -- copies. The fee for UCC search copies is \$ [X] per page (or page equivalent for electronically transmitted search responses).]

105 Expedited services.

105.1 Description of expedited service and fee.

105.1.1 Acceptance and Refusal Process. *[Describe levels of service, and the fee for each level of service.]*

105.1.2 Responding to UCC search request. *[Describe levels of service, and the fee for each level of service.]*

105.2 How to request expedited service.

105.2.1 Acceptance and Refusal Process. *[Describe the manner by which expedited service may be requested.]*

105.2.2 Responding to UCC search request. *[Describe the manner by which expedited service may be requested.]*

106 Methods of payment. Filing fees and fees for public records services may be paid by the following methods.

106.1 Cash. Payment in cash shall be accepted if paid in person at the filing office.

106.2 Checks. Personal checks, cashier's checks and money orders made payable to the filing office shall be accepted for payment if they are drawn on a bank acceptable to the filing office or if the drawer is acceptable to the filing office.

106.3 Electronic funds transfer. The filing office may accept payment via electronic funds transfer under National Automated Clearing House Association ("NACHA") rules from remitters who have entered into appropriate NACHA-approved arrangements for such transfers and who authorize the relevant transfer pursuant to such arrangements and rules.

106.4 Prepaid account. A remitter may open an account for prepayment of fees by submitting an application prescribed by the filing officer and prepaying an amount not less than \$ [X]. The filing officer shall issue an account number to be used by a remitter who chooses to pay filing fees by this method. The filing officer shall deduct filing fees from the remitter's prepaid account when authorized to do so by the remitter. *[describe the manner by which transactions against the prepaid account may be authorized by the remitter].*

106.5 Debit [and/or] credit cards. The filing office shall accept payment by debit cards [and credit cards] issued by approved issuers. Remitters shall provide the filing officer with the card number, the expiration date of the card, the name of the card issuer, the name of the person or entity to whom the card was issued and the billing address for the card. Payment will not be deemed tendered until the issuer or its agent has confirmed

payment.

106.7 Other account. *[Describe other methods by which filing parties may pay filing fees.]*

107 Overpayment and underpayment policies.

107.1 Overpayment. The filing officer shall refund the amount of an overpayment exceeding \$ [X] to the remitter. The filing officer shall refund an overpayment of \$ [X] or less only upon the written request of the remitter.

107.2 Underpayment. Upon receipt of a UCC record with an insufficient fee, the filing officer shall do one of the following.

107.2.1 A notice of the deficiency shall be sent to the remitter and the UCC record shall be held for a period of 10 days from the date of the notice for receipt of the fee. Upon receipt of the fee, the UCC record shall be filed as of the time and date of receipt of the full filing fee. If the fee is not received within 10 days of the date of the notice, the UCC record shall be returned to the remitter with a written explanation for the refusal to accept the UCC record; or

107.2.2 The UCC record shall be returned to the remitter as provided in rule 203. A refund may be included with the UCC record or delivered under separate cover.

108 Public records services. Public records services are provided on a non-discriminatory basis to any member of the public on the terms described in these rules. The following methods are available for obtaining copies of UCC records and copies of data from the UCC information management system. [Alternate language for direction to bulk services](#)

108.1 Individually identified records. Copies of individually identified UCC records are available in the following forms.

[Insert a description of media in which individually identified UCC records are available, e.g. paper, TIF files.]

108.2 Bulk copies of records. Bulk copies of UCC records are available in the following forms.

[Insert list of media in which bulk copies of UCC records are available, e.g. paper, microfilm, microfiche, optical media, CD-ROM.]

108.3 Data from the UCC information management system. A list of available data elements from the UCC information management system, and the file layout of the data elements, is available from the filing officer upon request. Data from the information management system is available as follows.

108.3.1 Full extract. A bulk data extract of information from the UCC information management system is available on a weekly basis.

108.3.2 Update extracts. Updates of information from the UCC information management system are available on a *[daily, weekly]* basis.

108.3.3 Format. Extracts from the UCC information management system are available in the following formats.

[Insert description of formats.]

Magnetic tape.

Floppy discs.

Optical platters.

CD-ROM.

108.4 Direct on-line services. On-line services make UCC *[data, images]* available on a subscription basis. A description of subscription services is available from the filing officer.

109 Fees for public records services. Fees for public records services are established as follows. *[Identify the fee, or the method of calculating the fee for each service.]*

109.1 Paper copies of individual records.

109.1.1 Regular delivery method.

109.1.2 Fax delivery.

109.2 Bulk copies of records.

109.3 Data from the information management system.

109.3.1 Full extract.

109.3.2 Update extracts.

109.3.3 Format.

109.4 Third party on-line services.

Section 2 -- Acceptance and Refusal of Records

200 Role of filing officer. The duties and responsibilities of the filing officer with respect to the administration of the UCC are ministerial. In accepting for filing or refusing to file a UCC record pursuant to these rules, the filing officer does none of the following:

200.1 Determine the legal sufficiency or insufficiency of a record.

200.2 Determine that a security interest in collateral exists or does not exist.

200.3 Determine that information in the record is correct or incorrect, in whole or in part.

200.4 Create a presumption that information in the record is correct or incorrect, in whole or in part.

201 Deadline for filing a continuation statement.

201.1 First day permitted. The first day on which a continuation may be filed is the date corresponding to the date upon which the financing statement would lapse, six months preceding the month in which the financing statement would lapse. If there is no such corresponding date, the first day on which a continuation may be filed is the last day of the sixth month preceding the month in which the financing statement would lapse.

201.2 Last day permitted. The last day on which a continuation may be filed is the date upon which the financing statement lapses. Create alternative language for special cases (holiday, weekend or emergency closing (time of filing issue))

~~202~~ Grounds for refusal. ~~In addition to the grounds listed in 9-516 allowing the filing officer to refuse a UCC record, the filing officer shall refuse a UCC record if:~~

~~202.1~~ the ~~UCC record~~ contains more than one secured party or assignee name or address and some names or addresses are missing or illegible; ~~or~~

~~202.2~~ the ~~UCC records does not provide an~~ address in the address field.

203 Procedure upon refusal. Except as provided in rule 107, if the filing officer finds grounds to refuse a UCC record, the filing officer shall return the UCC record to the remitter and

shall refund the filing fee. Provide reference to Model Rejection form as well as procedures and timing upon rejection

204 Notification of defects. Nothing in these rules prevents a filing officer from communicating to a filer or a remitter that the filing officer noticed apparent potential defects in a UCC record, whether or not it was filed or refused for filing. However, the filing office is under no obligation to do so and may not, in fact, have the resources to do so or to identify such defects. The responsibility for the legal effectiveness of filing rests with filers and remitters and the filing office bears no responsibility for such effectiveness. Move to the end of this section

205 Refusal errors. If a secured party or a remitter demonstrates to the satisfaction of the filing officer that a UCC record that was refused for filing should not have been refused under rule 202, the filing officer will file the UCC record with the filing date and time the UCC record was originally tendered for filing. A filing officer statement record relating to the relevant initial financing statement will be placed in the UCC Information Management System on the date that the corrective action was taken. The filing officer statement must provide the date of the correction and explain the nature of the corrective action taken. The record shall be preserved for so long as the record of the initial financing statement is preserved in the UCC Information Management System.

Section 3 -- UCC Information Management System

300 Policy statement. The filing officer uses an information management system to store, index, and retrieve information relating to financing statements. The information management system includes an index of the names of debtors named on financing statements which have not lapsed. The rules in this section describe the UCC information management system.

301 Primary data elements. The primary data elements used in the UCC information management system are the following.

301.1 Identification numbers.

301.1.1 Each initial financing statement is identified by its file number as described in rule 100.7. Identification of the initial financing statement is stamped on written UCC records or otherwise permanently associated with the record maintained for UCC records in the UCC information management system. A record is created in the UCC information management system for each initial financing statement and all information comprising the record is maintained in the UCC information management system.

- The record is identified by the same information assigned to the initial financing statement.
- 301.1.2 A UCC record other than an initial financing statement is identified by a unique file number assigned by the filing officer. In the UCC information management system, records of all UCC records other than initial financing statements are linked to the record of their related initial financing statement.
- 301.2 Type of record. The type of UCC record from which data is transferred is identified in the UCC information management system from information supplied by the remitter.
- 301.3 Filing date and filing time. The filing date and filing time of UCC records are stored in the UCC information management system. Calculation of the lapse date of an initial financing statement is based upon the filing date.
- 301.4 Identification of parties. The names and addresses of debtors and secured parties are transferred from UCC records to the UCC information management system ~~using one or more data entry or transmittal techniques.~~
- 301.5 Status of financing statement. In the UCC information management system, each financing statement has a status of active or inactive. Remove or replace with lapsed or unlapsed
- 301.6 Page count. The total number of pages in a UCC record is maintained in the UCC information management system.
- 301.7 Lapse indicator. An indicator is maintained by which the information management system identifies whether or not a financing statement will lapse and, if it does, when it will lapse. The lapse date is determined as provided in rule 404.
- 302 Names of debtors who are individuals. For the purpose of this rule, "individual" is defined in section 100.17 of these rules. This rule applies to the name of a debtor or a secured party on a UCC record who is an individual.
- 302.1 Individual name fields. The names of individuals are stored in files that include only the names of individuals, and not the names of organizations. Separate data entry fields are established for first (given), middle (given), and last names (surnames or family names) of individuals. A filer should place the name of a debtor with a single name (e.g., "Cher") in the last name field. The filing officer assumes no responsibility for the accurate designation of the components of a name but will accurately enter the data in accordance with the filer's designations.

302.2 Titles and prefixes before names. Titles and prefixes, such as "doctor," "Reverend," "Mr.," and "Ms.," should not be entered in the UCC information management system. However, as provided in rule 401, when a UCC record is submitted with designated name fields, the data will be entered in the UCC information management system exactly as it appears. Revise to eliminate what the filer should do

302.3 Titles and suffixes after names. Titles or indications of status such as "M.D." and "esquire" shall not be entered in the UCC information management system. Suffixes are not part of an individual's name and should not be provided by filers in UCC records. Suffixes that indicate which individual is being named, such as "senior," "junior," "I," "II," and "III," are entered in a field designated for name suffixes. In either case, as provided in rule 401, they will be entered into the information management system exactly as received. Revise to eliminate what the filer should do

302.4 Truncation - individual names. Personal name fields in the UCC database are fixed in length. Although filers should continue to provide full names on their UCC records, a name that exceeds the fixed length is entered as presented to the filing officer, up to the maximum length of the data entry field. The lengths of data entry name fields are as follows.

302.4.1 First name: [X] characters

302.4.2 Middle name: [X] characters

302.4.3 Last name: [X] characters

302.4.4 Suffix: [X] characters

303 Names of debtors that are organizations. This rule applies to the name of an organization who is a debtor or a secured party on a UCC record.

303.1 Single field. The names of organizations are stored in files that include only the names of organizations and not the names of individuals. A single field is used to store an organization name. The maximum length is [X] characters.

303.2 Truncation -organization names. The organization name field in the UCC database is fixed in length. The maximum length is [X] characters. Although filers should continue to provide full names on their UCC records, a name that exceeds the fixed length is entered as presented to the filing officer, up to the maximum length of the data entry field.

- 304 Estates. Although they are not human beings, estates are treated as if the decedent were the debtor under rule 302. [Revise wording](#)
- 305 Trusts. If the trust is named in its organic record(s), its full legal name, as set forth in such record(s), is used. Such trusts are treated as organizations. If the trust is not so named, the name of the settlor is used. If a settlor is indicated to be an organization, the name is treated as an organization name. If the settlor is an individual, the name is treated as an individual name. A UCC record that uses a settlor's name should include other information provided by the filer to distinguish the debtor trust from other trusts having the same settlor and all financing statements filed against trusts or trustees acting with respect to property held in trust should indicate the nature of the debtor. If this is done in, or as part of, the name of the debtor, it will be entered as if it were a part of the name under rules [401](#).
- 306 Initial financing statement. Upon the filing of an initial financing statement the status of the parties and the status of the financing statement shall be as follows.
- 306.1 Status of secured party. Each secured party named on an initial financing statement shall be a secured party of record, except that if the UCC record names an assignee, the secured party/assignor shall not be a secured party of record and the secured party/assignee shall be a secured party of record.
- 306.2 Status of debtor. The status of a debtor named on the record shall be active and shall continue as active until one year after the financing statement lapses.
- 306.3 Status of financing statement. The status of the financing statement shall be active. A lapse date shall be calculated, five years from the file date, unless the initial financing statement indicates that it is filed with respect to a public-financing transaction or a manufactured-home transaction, in which case the lapse date shall be thirty years from the file date, or if the initial financing statement indicates that it is filed against a transmitting utility, in which case there shall be no lapse date. A financing statement remains active until one year after it lapses, or if it is indicated to be filed against a transmitting utility, until one year after it is terminated with respect to all secured parties of record.
- 307 Amendment. Upon the filing of an amendment the status of the parties and the status of the financing statement shall be as follows. [Rewrite to condense](#)
- 307.1 Status of secured party and debtor. An amendment shall affect the status of its debtor(s) and secured party(ies) as follows:

- 307.1.1 Collateral amendment or address change. An amendment that amends only the collateral description or one or more addresses has no effect upon the status of any debtor or secured party. If a statement of amendment is authorized by less than all of the secured parties (or, in the case of an amendment that adds collateral, less than all of the debtors), the statement affects only the interests of each authorizing secured party (or debtor).
- 307.1.2 Debtor name change. An amendment that changes a debtor's name has no effect on the status of any debtor or secured party, except that the related initial financing statement and all UCC records that include an identification of such initial financing statement shall be cross-indexed in the UCC information management system so that a search under either the debtor's old name or the debtor's new name will reveal such initial financing statement and such related UCC records. Such a statement of amendment affects only the rights of its authorizing secured party(ies).
- 307.1.3 Secured party name change. An amendment that changes the name of a secured party has no effect on the status of any debtor or any secured party, but the new name is added to the index as if it were a new secured party of record.
- 307.1.4 Addition of a debtor. An amendment that adds a new debtor name has no effect upon the status of any party to the financing statement, except the new debtor name shall be added as a new debtor on the financing statement. The addition shall affect only the rights of the secured party(ies) authorizing the statement of amendment.
- 307.1.5 Addition of a secured party. An amendment that adds a new secured party shall not affect the status of any party to the financing statement, except that the new secured party name shall be added as a new secured party on the financing statement.
- 307.1.6 Deletion of a debtor. An amendment that deletes a debtor has no effect on the status of any party to the financing statement, even if the amendment purports to delete all debtors.
- 307.1.7 Deletion of a secured party. An amendment that deletes a secured party of record has no effect on the status of any party to the financing statement, even if the amendment purports to delete all secured parties of record.

- 307.2 Status of financing statement. An amendment shall have no effect upon the status of the financing statement, except that a continuation may extend the period of effectiveness of a financing statement.
- 308 Assignment of powers of secured party of record.
- 308.1 Status of the parties. An assignment shall have no effect on the status of the parties to the financing statement, except that each assignee named in the assignment shall become a secured party of record.
- 308.2 Status of financing statement. An assignment shall have no effect upon the status of the financing statement.
- 309 Continuation. Status of parties upon filing a continuation. Add clarifying statement based on discussion of when multiple continuations are filed
- 309.1 Continuation of lapse date. Upon the timely filing of one or more continuations by any secured party(ies) of record, the lapse date of the financing statement shall be postponed for five years.
- 309.2 Status of parties. The filing of a continuation shall have no effect upon the status of any party to the financing statement.
- 309.3 Status of financing statement. Upon the filing of a continuation statement, the status of the financing statement remains active.
- 310 Termination. Status of parties upon filing a termination.
- 310.1 Status of parties. The filing of a termination shall have no effect upon the status of any party to the financing statement.
- 310.2 Status of financing statement. A termination shall have no effect upon the status of the financing statement and the financing statement shall remain active in the information management system until one year after it lapses, unless the termination relates to a financing statement that indicates it is filed against a transmitting utility, in which case the financing statement will become inactive one year after it is terminated with respect to all secured parties of record.
- 311 Correction statement. _
- 311.1 Status of parties. The filing of a correction statement shall have no effect upon the status of any party to the financing statement.

311.2 Status of financing statement. A correction statement shall have no effect upon the status of the financing statement.

312 Procedure upon lapse. If there is no timely filing of a continuation with respect to a financing statement, the financing statement lapses on its lapse date but no action is then taken by the filing office. On the first anniversary of such lapse date, the information management system renders or is caused to render the financing statement inactive and the financing statement will no longer be made available to a searcher unless inactive statements are requested by the searcher and the financing statement is still retrievable by the information management system.

313 XML Records

313.1 IACA standard adopted. The XML Format] as adopted by the International Association of Commercial Administrators is adopted in this state for electronic transmission of UCC records. At the request of an authorized XML remitter, the filing officer shall identify which versions and releases of the XML Format are acceptable to the filing office.

313.2 Implementation Guide. The filing office publishes an implementation guide that prescribes the use of the XML Format. The implementation guide shall be available to the public upon request.

314 EDI Records

314.1 ANSI standard adopted. ANSI X12 transaction set 154, as adopted by the American National Standards Institute is adopted in this state for electronic transmission of UCC records. At the request of an authorized EDI remitter, the filing officer shall identify which versions and releases of ANSI X12 154 are acceptable to the filing office.

314.2 Implementation Guide. The filing office publishes an implementation guide that prescribes the use of ANSI X12 154. The implementation guide shall be available to the public upon request.

315 Direct On-line (Non-XML [or EDI]) Data Entry Procedures

315.1 Definitions. *[Insert definitions]*

315.2 Record filing procedures. *[Describe procedures whereby remitters may obtain and use on-line access to make filings. It is anticipated that filing offices that will permit web page access will describe that process, including fee payment procedures, here.]*

315.3 Search request procedures. *[Describe procedures whereby remitters may obtain and use on-line access to request searches. It is anticipated that filing offices that will permit web page access will describe that process, including fee payment procedures, here.]*

Section 4 -- Filing and Data Entry Procedures

400 Errors of the filing officer. The filing office may correct data entry errors of filing officer personnel in the UCC information management system at any time. If the correction is made after the filing officer has issued a certification date that includes the filing date of a corrected document, the filing officer shall proceed as follows. A filing officer statement record relating to the relevant initial financing statement will be placed in the UCC Information Management System on the date that the corrective action was taken. The filing officer statement must provide the date of the correction and explain the nature of the corrective action taken. The record shall be preserved for so long as the record of the initial financing statement is preserved in the UCC Information Management System.

~~*Comment: Only states that are accepting forms that do not have designated name fields should include 401 in their regulations.*~~

401 Data entry of names - designated fields. A filing should designate whether a name is a name of an individual or an organization. If the name is that of an individual the first, middle and last names and any suffix shall be given. Condense org and individual names are entered as they appear into the appropriate name fields and index
Add procedure to verify data entry of debtor names

401.1 Organization names. Organization names are entered into the UCC information management system exactly as set forth in the UCC record, even if it appears that multiple names are set forth in the record or if it appears that the name of an individual has been included in the field designated for an organization name.

401.2 Individual names. On a form that designates separate fields for first, middle, and last names and any suffix, the filing officer enters the names into the first, middle, and last name and suffix fields in the UCC information management system exactly as set forth on the form.

401.3 Designated fields encouraged. The filing office encourages the use of forms that designate separate fields for individual and organization names and separate fields for first, middle, and last names and any suffix. Such forms diminish the possibility of filing office error and help assure that filers' expectations are met. However, filers should be aware that the inclusion of names in an incorrect field or failures to transmit names accurately to the filing office may cause filings to be

ineffective. All records submitted as described in section 101 of these rule through ~~direct data entry or through EDI~~ will be required to use designated name fields.

402 Global filings. Master Amendments *[If filing office accepts bulk filings, a regulation outlining the requirements and filing procedures should be adopted.]* Clarify what types of filings can be done globally

403 Notice of bankruptcy. The filing officer shall take no action upon receipt of a notification, formal or informal, of a bankruptcy proceeding involving a debtor named in the UCC information management system.

Section 5. Search Requests and Reports

500 General requirements. The filing officer maintains for public inspection a searchable index for all UCC records. The index shall provide for the retrieval of a UCC record by the name of the debtor or by the file number of the initial financing statement and each filed UCC record relating to the initial financing statement.

501 Search requests. Search requests shall contain the following information.

501.1 Name searched. A search request must set forth the name of the debtor to be searched and must specify whether the debtor is an individual or an organization. A search request will be processed using the name in the exact form it is submitted. Add language to coincide with designated fields

501.2 Requesting party. The name and address of the person to whom the search results is to be sent.

501.3 Fee. The appropriate fee shall be enclosed, payable by a method described in rule 106.

501.4 Search request with filing. If a filer requests a search at the time a UCC record is filed, the name searched will be the debtor name as set forth on the form. The requesting party shall be the remitter of the UCC record, and the search request shall be deemed to request a search that would retrieve all financing statements filed on or prior to the date the UCC record is filed.

502 Rules applied to search requests. Search results are produced by the application of standardized search logic to the name presented to the filing officer. Human judgment does not play a role in determining the results of the search. The following rules apply to searches.

- 502.1 There is no limit to the number of matches that may be returned in response to the search criteria.
- 502.2 No distinction is made between upper and lower case letters.
- 502.3 Punctuation marks and accents are disregarded.
- 502.4 Words and abbreviations at the end of a name that indicate the existence or nature of an organization as set forth in the “Ending Noise Words” list as promulgated and adopted by the International Association of Commercial Administrators are disregarded. The noise words include the following: [insert the IACA STS Noise Word list or jurisdiction specific list that relate to the entity laws of the jurisdiction]]
- 502.5 The word "the" at the beginning of the search criteria is disregarded.
- 502.6 All spaces are disregarded.
- 502.7 For first and middle names of individuals, initials are treated as the logical equivalent of all names that begin with such initials, and first name and no middle name or initial is equated with all middle names and initials. For example, a search request for “John A. Smith” would cause the search to retrieve all filings against all individual debtors with “John” or the initial “J” as the first name, “Smith” as the last name, and with the initial “A” or any name beginning with “A” in the middle name field. If the search request were for “John Smith” (first and last names with no designation in the middle name field), the search would retrieve all filings against individual debtors with “John” or the initial J as the first name, “Smith” as the last name and with any name or initial or no name or initial in the middle name field.

Add rule for search on last name only...should retrieve any middle name or middle initial without a first name only

- 502.8 After using the preceding rules to modify the name to be searched, the search will reveal only names of debtors that are contained in the UCC information management system as active records and exactly match the name requested, as modified by section 502.

503 Optional information. A UCC search request may contain any of the following information.

- 503.1 The request may limit the UCC records requested by limiting the request by:

- 503.1.1 the address of the debtor;
- 503.1.2 the city of the debtor;
- 503.1.3 the date of filing or a range of filing dates; **or**
- 503.1.4 the name of the secured party of record on the financing statement

503.2 A report created by the filing officer in response to such a request shall contain the statement "A limited search may not reveal all filings against the debtor searched and the searcher bears the risk of relying on the results of a limited search."

503.3 The request may ask for copies of UCC records identified on the primary search response.

503.4 Instructions on the mode of delivery desired, if other than by ordinary mail, will be honored if the requested mode is available to the filing office.

504 Search responses. Search reports created in response to a search request shall include the following. Add rule for last name only search

504.1 Filing officer. Identification of the filing officer and the certification of the filing officer required by law.

504.2 Report date. The date the report was generated.

504.3 Name searched. Identification of the name searched.

504.4 Certification date. The certification date and time for which the search is effective.

504.5 Identification of initial financing statements. Identification of each active initial financing statement filed on or prior to the certification date and time corresponding to the search criteria, by name of debtor, by identification number, and by file date and file time.

504.6 History of financing statement. For each initial financing statement on the report, a listing of all related UCC records filed by the filing officer on or prior to the certification date.

504.7 Copies. Copies of all UCC records revealed by the search and requested by the searcher.

Section 6. Other Notices of Liens

Comment: States should use section 6 to address Non-UCC liens that are filed with the filing office.

