

Topic: UCC Assignor/Assignee Questions

Question By: Katharine Moore

Jurisdiction: Maine

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Jurisdiction	Question(s)
	Section 306.1 of the Model Rules discusses the status of assignee/assignor as secured party of record, but is not specific with regard to data handling. When entering secured party information, either in an online or back-office system, do you capture whether a secured party is an assignor or an assignee, or both? Also, what is the reasoning, or business rule, that drives whether you do or do not capture this information?
Alabama	
Alaska	Alaska does the same as Illinois.
Arizona	
Arkansas	
California	
Colorado	
Connecticut	
Delaware	
District of Columbia	
Florida	
Georgia	
Hawaii	
Idaho	In Idaho each secured party and assignee is indexed as an individual secured party record. We do not indicate if the secured party is an assignee/assignor in the database, but a scanned image of the original document is included in the record. All amendments requesting changes to secured party information, or adding new secured parties or assignees creates a new secured party record in the database. Online filers are not provided the opportunity to indicate an assignee on an initial filing. However, assignees can be indicated on amendments, and amendments are coded as "assignments". The new assignee becomes another entry in the list of secured parties on file for the particular record.
Illinois	Illinois handles a full Assignment the same as a Secured Party Change or Add by making the Assignee a Secured Party of record in the event of a full Assignment. For partial Assignments Illinois codes the amendment as an Assignment, but does not change the management system Secured Party history. We only make the document image part of the record. In the event of an Assignor per UCC 1 AD, we do not record the Assignor, only Secured Parties. The image is made part of the record as all images are to show filing history.
Indiana	
Iowa	

Kansas	In Kansas if it is a paper filing the new Secured Party is added and the image of the request displays an image of what was submitted that indicates they are an assignee. If the request is processed online the option for an assignment is provided, as well as an amendment, termination or continuation, and if selected the question is asked if it is a full or partial assignment and the assignee's information is then requested.
Kentucky	
Louisiana	
Maine	
Maryland	
Massachusetts	
Michigan	Michigan's process is similar to Idaho's process with one exception. UCC Online filers have the option of selecting Additional Secured Party or Additional Assignor Secured Party in the UCC1 wizard. All secured parties (and debtors) are listed in the information management database and on the acknowledgment cover sheets for each filing.
Minnesota	Minnesota is the same as Idaho.
Mississippi	
Missouri	Missouri does not capture whether a secured party is an assignor or an assignee. Not really sure what the reasoning is for it.
Montana	Montana is the same as Idaho.
Nebraska	Nebraska is the same as Idaho and Montana.
Nevada	Nevada is the same as Utah.
New Hampshire	NH also handles them in the same manner as Idaho.
New Jersey	
New Mexico	
New York	
North Carolina	
North Dakota	
Ohio	Ohio is the also the same as Idaho. The only difference is that we do have an assignment code so when a secured party is added by assignment our database will capture that it is through assignment, but that info is not anywhere on the public website.
Oklahoma	
Oregon	Oregon is like Idaho, except we allow the initial secured party to be an assignee.
Pennsylvania	
Rhode Island	
South Carolina	
South Dakota	
Tennessee	
Texas	In Texas we index all assignee/assignor information as just another secured party of record. 9.514 of the Business and Commerce Code in Texas says that for an assignment you must provide the name of the assignor and the name and

	mailing address of the assignee (This is provided on the image of the filing). For all UCC1 and UCC3 filings, an image of the filing is made part of the record. When a search is performed against a given filing, the results of the search will simply show a list of debtors and secured parties for all name and address information. To determine who the active parties are or to determine who an assignor or assignee may be you would have to follow the paper trail as the images would reflect everything you need to know.
Utah	Utah is the same as Idaho but we can see that it was an assignment in the background - public just sees active or inactive for secured parties.
Vermont	
Virginia	
Washington	Washington State handles them the same way that Kansas does. The designations of assignee and assignor are then reflected on the acknowledgments and search reports.
West Virginia	
Wisconsin	
Wyoming	

Additional Comments:

Full Text of Original Email:

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Maine is in the process of developing a new UCC information management system. We are redesigning our entire system from database structure to user interfaces, and so are analyzing all data requirements. Currently, we are reviewing how secured party information is to be captured, stored, and presented. My questions today are about secured party assignees and assignors. Section 306.1 of the Model Rules discusses the status of assignee/assignor as secured party of record, but is not specific with regard to data handling. When entering secured party information, either in an online or back-office system, do you capture whether a secured party is an assignor or an assignee, or both? Also, what is the reasoning, or business rule, that drives whether you do or do not capture this information? Thanks in advance for any information you can provide.

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