

Topic: Continuation Filed After a Termination

Question By: Tracy Gillespie

Jurisdiction: Nevada

Date: 2012 March 19

Jurisdiction	Question(s)
	On a continuation filed within the six-month window before lapse date but after a termination, would you file it and extend the lapse date or reject it?
Alabama	
Alaska	In Alaska, we would file the continuation and extend the lapse date.
Arizona	
Arkansas	
California	The termination has no effect on the status of the filing.
Colorado	Colorado would accept and extend.
Connecticut	
Delaware	
District of Columbia	
Florida	
Georgia	Georgia would accept and extend the lapse date.
Hawaii	
Idaho	In Idaho we would accept the continuation and extend the lapse date.
Illinois	Illinois would accept and file the Continuation as long as it is submitted within the 6 month window. We would extend the Lapse date for another 5 years unless, the original filing were a Transmitting Utility. If a Transmitting Utility the filing Lapses upon Termination, therefore a Continuation could not be accepted on a Lapsed record.
Indiana	
Iowa	
Kansas	Kansas would do the same as Michigan.
Kentucky	Kentucky would file the timely continuation and extend the lapse date.
Louisiana	File the continuation.
Maine	
Maryland	
Massachusetts	Massachusetts would file and extend.
Michigan	In Michigan, we would file the timely continuation and extend the lapse date for five additional years from the initial file date.

Minnesota	Minnesota is also the same as Michigan.
Mississippi	
Missouri	Missouri is the same as California. The termination has no effect on the status of the Ifiling.
Montana	
Nebraska	Nebraska would do the same as Michigan.
Nevada	
New Hampshire	New Hampshire would handle this in the same manner as Alaska.
New Jersey	
New Mexico	
New York	NY would accept and extend the lapse date.
North Carolina	
North Dakota	
Ohio	Ohio would accept and extend the lapse date.
Oklahoma	
Oregon	
Pennsylvania	Pennsylvania would accept and extend the lapse date.
Rhode Island	
South Carolina	
South Dakota	
Tennessee	
Texas	Texas would accept and extend the lapse date.
Utah	Utah does the same as New York.
Vermont	
Virginia	Virginia would be the same as Michigan.
Washington	
West Virginia	
Wisconsin	
Wyoming	

Additional Comments:

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A good resource for this type of question the UCC Filing Chart at www.iaca.org. Here's the link to chart, see bottom of page 14

http://www.iaca.org/downloads/STS/Accepting_UCC_Record_Filing_Chart.pdf

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MA accepts and extends the lapse date, too. According to the IACA Filing Chart, not a single jurisdiction deviates on this one. See below.

Initial Financing Statement Action	Action	Revised Article 9 Section	Jurisdictions that will deviate and legal authority to do so
3b. Continuation statement received within the six month continuation window but after termination and prior to lapse date.	Accept and extend lapse date	9-520(a)	None

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Hi from Nevada,

I would like to find out how you would handle a Continuation filed within the six-month window and before the lapse date but it is filed after a Termination.

1. Would you file it and extend the lapse date.
2. Reject it.

Thank you for your input and have a great week.

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