

**Topic:** Transitioning to new UCC Forms in July 2013

**Question By:** Sherri DeMarco

**Jurisdiction:** Michigan

**Date:** 19 July 2012

Jurisdiction	Question(s)
<b>Alabama</b>	
<b>Alaska</b>	I agree that we should adopt these forms as close to the same time as possible. I do not foresee any problem with a one to two month transition period after notification. More important to us will be the changes to our current online filing system.
<b>Arizona</b>	
<b>Arkansas</b>	
<b>California</b>	
<b>Colorado</b>	
<b>Connecticut</b>	
<b>Delaware</b>	
<b>District of Columbia</b>	
<b>Florida</b>	
<b>Georgia</b>	<p>Speaking from a state that has yet to legislatively address the 2010 Amendments, I anticipate that Georgia will have some type of transition period. Our 2013 legislative session doesn't convene until mid-January...and knowing how things work downtown, it could be April or May before we see a final vote.</p> <p>When RA9 was enacted and went into effect July 1, 2001, we adopted a rule that allowed for the acceptance of the Georgia-specific form AND the new forms until Dec. 31 (a six month transition). My guess is that we will have something similar this time around...</p>
<b>Hawaii</b>	
<b>Idaho</b>	Idaho will only accept the new forms when the amendment goes into effect. However, we will be happy to implement a grace period that follows suit with the other states. We will begin sending notification of the change with each filing starting three months prior to statute going into effect.
<b>Illinois</b>	<p>Illinois will notify and inform the public of amended forms prior to July 01, 2013 through internet web page and paper. On July 01, 2013 the revised forms will be the only form accepted electronically, and in paper submittals. We are still awaiting Governor Quinn's signature of approval on SB 3764 to go forth with system adjustments.</p> <p>The purpose of date implementation of the 2010 draft forms is to prevent multiple system programming changes and</p>

	<p>maintenance of two different servers for each style of form. So mostly it is an IT related topic.</p> <p>If all of our documents were paper form it wouldn't matter. Illinois also allowed a six month compliance or transition period in 2001. I believe back in the day in 2001 there were less than 5 states that filed UCC filings electronically. This would have been a non issue during those times...</p>
<b>Indiana</b>	
<b>Iowa</b>	
<b>Kansas</b>	.
<b>Kentucky</b>	
<b>Louisiana</b>	Louisiana will post a notice January 1 <sup>st</sup> , 2013 informing the public of the new national forms. This notification will state that as of a certain date (we were thinking Sept. 1 <sup>st</sup> , 2013) any old national form submitted for filing will be assessed the non-standard form fee. If we place a notification 6 months prior I do not see the need to give more than a month or two transition.
<b>Maine</b>	
<b>Maryland</b>	
<b>Massachusetts</b>	
<b>Michigan</b>	
<b>Minnesota</b>	
<b>Mississippi</b>	
<b>Missouri</b>	
<b>Montana</b>	Accepting the new forms in Montana is dependent on whether the legislation that impacted the forms is passed in our State. If passed, which shouldn't be an issue then we will use the updated forms upon the effective date of the legislation.
<b>Nebraska</b>	
<b>Nevada</b>	
<b>New Hampshire</b>	For what it is worth, New Hampshire will utilize a transition period to allow for either form. Thirty days is a reasonable amount of time to allow filers to change their forms.
<b>New Jersey</b>	
<b>New Mexico</b>	
<b>New York</b>	
<b>North Carolina</b>	
<b>North Dakota</b>	
<b>Ohio</b>	We have adopted the 2010 Amendments legislatively in Ohio, but we are still working out the logistics. Our current policy is to accept old forms if all the required information is present. That has left us with receiving the old half page carbon copy forms that were printed in 1987 (not joking). I was hoping to use the 2010 amendments as an opportunity to change and only accept the current versions of the form. I agree with Robert in that the point is to be uniform. We will probably have a grace period as well, but the time period for that is to be determined.
<b>Oklahoma</b>	

<b>Oregon</b>	<p>We haven't figured out exactly what we'll do (though the amendments have passed into law), but we usually provide a transition period where we take either form.</p> <p>I don't want to hijack your question, Sherri, but I'm curious, why require only the new forms on July 1, 2013? What are the reasons to be so strict? Is there a compelling reason not to allow the old forms, which, to me, just give more information than necessary?</p> <p>I'm anticipating that our electronic systems will be updated by the July 1, but we still have lots of folks that send in old forms - not 1987 1/2 sheets, Katie! - and I think from past experience, we will need a transition of some kind. Besides, our legislature will have (hopefully) have just adjourned and non-UCC types will probably not be looking for new laws to take effect so soon (normal effective date is January 1 the following year).</p> <p>That said, Robert and Darrell make good points, and probably a shorter transition of 30 days is more reasonable than a 6 month period. I agree that the key is likely to be good communication ahead of the change.</p>
<b>Pennsylvania</b>	<p>I agree with Robert. After all, wasn't the idea behind the 2001 changes to make the Uniform Commercial Code 'uniform' (or at least as close as possible).</p> <p>Pennsylvania plans on accepting only the new forms, as approved by IACA, on July 1, 2013 (as long as the legislation has passed). However, I would not be opposed to a transition period if that was the consensus among the other jurisdictions.</p>
<b>Rhode Island</b>	
<b>South Carolina</b>	
<b>South Dakota</b>	
<b>Tennessee</b>	
<b>Texas</b>	<p>My thoughts for Texas is that we would be doing what Washington just stated. We will start notifying everyone starting January 1 that we will only accept the new form on July 1, 2013.</p>
<b>Utah</b>	<p>Utah is right there with you.....our legislature hasn't even made noise about the 2010 amendments (although a little bird has asked each year). Don't know what we'll do about the new forms.....stay tuned</p>
<b>Vermont</b>	
<b>Virginia</b>	<p>The feeling at the conference is that we are providing more than enough time for filers to make the necessary adjustments with the new forms by passing this legislation well in advance of the 7/1/13. With that said, I don't see any harm, in having a small grace period, say 1-month, and placing a notice in every filing that were filed using the outdated forms that we will no longer be accepting those forms on date XX.</p> <p>I think all jurisdictions need to consider that when you think about adopting a longer grace period that you may be setting up your filers that file in multiple jurisdictions to get rejected in other jurisdictions. Consequently, we will here that Oregon still takes this form why don't you? I want the file date and time etc..</p>

	It is much cleaner if we all implement the forms at the same time or as close as possible.
<b>Washington</b>	Washington state is not planning on providing a grace period. We will start notifying our customers around the first of January that effective July 1, 2013 we will only accept the new forms. This is mainly a programming issue for us.
<b>West Virginia</b>	
<b>Wisconsin</b>	
<b>Wyoming</b>	

**Additional Comments:**

I am not taking a position but I will note that a couple of things: (1) many more filings are electronic today than in past transitions, so the impact of physical form changes should be less than in 2001; (2) many more folks get their forms on-line through IACA or a service company, and they print their forms as they prepare them, so such filers will transition with their on-line source and will not have paper forms they would like to use rather than throw away. – *Darrell Pierce*

**Full Text of Original Email:**

Hello to All:

The new UCC1 and UCC3 forms will be used beginning July 1, 2013 for most jurisdictions. How will your office transition to the new forms? Will you only accept the new forms from July 1, 2013 forward?

Your feedback is appreciated!