

UCC Forms & Filing Offices

August 2013 Update

As the dust settles from the enactment of the 2010 Amendments to UCC Article 9 (the “Amendments”), many UCC filers remain unsure about what form versions they should use for filing in a particular state. This uncertainty is understandable because a lot of confusing and conflicting information is currently in circulation.

To avoid any form risks, all written UCC records submitted for filing in states where the Amendments have taken effect should use the new (04/20/11 version) forms. Likewise, written records submitted for filing in those few states where the Amendments have not taken effect should use only the old forms (any form with a revision date before 2011). The chart below clarifies the current acceptance/rejection practices of state filing offices in relation to the new and old UCC forms. The chart will be updated with any new developments.

State	Amendments Effective Date	Old Forms Practice	Practice End Date	New Forms Practice	Comments
AL	Not Enacted	Accepted	NA	NA	New forms not accepted until effective date in 2014.
AK	7/1/13	Accepted	8/31/13	Accepted	
AZ	Not Enacted	Accepted	NA	Rejected	New forms not accepted until effective date in 2014.
AR	7/1/13	Rejected	NA	Accepted	
CA	Not Enacted	Accepted	NA	Rejected	New forms not accepted until effective date in 2014.
CO ¹	7/1/13	NA	NA	NA	Electronic filing only. No forms permitted.
CT	7/1/13	Rejected	NA	Accepted	
DC	7/1/13	Accepted	NA	Accepted	DC Recorder's office reports old forms are accepted but provided no end date for the practice.
DE	7/1/13	Accepted	Unknown	Accepted	
FL	7/1/13	Rejected	NA	Accepted	
GA	7/1/13	Rejected	NA	Accepted	
HI	7/1/13	Accepted	Unknown	Accepted	The filing office plans to stop accepting old forms at some point in the near future, but has not set a date.
ID	7/1/13	Rejected	NA	Accepted	
IL	7/1/13	Rejected	NA	Accepted	
IN	7/1/13	Rejected	NA	Accepted	
IA	7/1/13	Rejected	NA	Accepted	
KS	7/1/13	Accepted	Unknown	Accepted	The filing office plans to stop accepting old forms at some point in the near future, but has not set a date.
KY	7/1/13	Rejected	NA	Accepted	
LA	7/1/13	Rejected ³	NA	Accepted	
ME	7/1/13	Rejected	NA	Accepted	
MD	7/1/13	Accepted	NA	Accepted	MD SDAT has no set date for when it will no longer accept the old forms.
MA	7/1/13	Rejected	NA	Accepted	
MI	7/1/13	Rejected	NA	Accepted	
MN	7/1/13	Rejected	NA	Accepted	

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State	Amendments Effective Date	Old Forms Practice	Practice End Date	New Forms Practice	Comments
MS	7/1/13	Accepted	8/31/13?	Accepted	The filing office may choose to extend grace period.
MO	8/28/13	Accepted	9/27/13?	Rejected	Filing office plans grace period after effective date but duration is still pending. Expect 30 days.
MT	7/1/13	Rejected	NA	Accepted	
NE	7/1/13	Rejected	NA	Accepted	
NV	7/1/13	Accepted	Unknown	Accepted	Despite the end of the grace period, the filing office still accepts the old forms and has not set an end date.
NH	7/1/13	Accepted	8/19/13?	Accepted	The filing office plans to stop accepting old forms very soon, but has not set a date. Expect little or no further warning.
NJ	7/1/13	Accepted	Unknown	Accepted	Filing office has no set date for when it will no longer accept old forms.
NM	7/1/13	Rejected	NA	Accepted	
NY	Not Enacted	Accepted	NA	Rejected	New forms not accepted until effective date in 2014.
NC	7/1/13	Rejected	NA	Accepted	
ND	7/1/13	Accepted	8/31/13	Accepted	
OH	7/1/13	Rejected	NA	Accepted	
OK	Not Enacted	Accepted	NA	Accepted	Filing office is accepting the new forms despite non-compliance with law currently in effect.
OR	7/1/13	Rejected	NA	Accepted	
PA	7/1/13	Accepted	Unknown	Accepted	Non-uniform enactment requires filing office to accept prior versions of the forms.
PR ²	1/17/13	Accepted	NA	Accepted	Filing office accepts PR forms, plus both old and new national forms. Signatures still required despite new law.
RI	7/1/13	Rejected	NA	Accepted	
SC	7/1/13	Accepted	8/31/13	Accepted	
SD	7/1/13	Accepted	Unknown	Accepted	Filing office is still accepting old forms because they have the SSN field.
TN	7/1/13	Rejected	NA	Accepted	Filing office accepts only the new national forms and the TN forms rev. 7/1/13.
TX	7/1/13	Rejected	NA	Accepted	Filing office accepts only the "IACA" version of the 04/20/11 new forms.
USVI	Not Enacted	Accepted	NA	Rejected	New forms not accepted until effective date in 2014.
UT	7/1/13	Rejected	NA	Accepted	
VT	Not Enacted	Accepted	NA	Rejected	New forms not accepted until effective date in 2014.
VA	7/1/13	Rejected	NA	Accepted	
WA	7/1/13	Rejected	NA	Accepted	
WV	7/1/13	Accepted	Unknown	Accepted	The filing office plans to stop accepting old forms very soon, but has not set a date. Expect little or no further warning.
WI	7/1/13	Rejected ³	NA	Accepted	
WY	7/1/13	Rejected	NA	Accepted	

¹ The Colorado Secretary of State requires electronic filing. It does not accept written forms.

² Puerto Rico enacted Revised Article 9 with the 2010 Amendments, but included images of the 1998 forms.

³ Filing office will accept old forms with potentially substantial non-standard document fee.

For more information, contact Paul Hodnefield, Associate General Counsel for Corporation Service Company, at (800) 927-9801 ext. 62375, or at phodnefi@cscinfo.com.

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