



UCC Article 9 & Other Lien-Related Legislation

Includes Tax Lien, Judgment Lien, Real Estate Lien and Fraudulent Filing Bills

Updated September 21, 2018

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State	Bill	Introduced	Description	Status
AZ	H2240	1/11/18	Extends duration of judgment lien from 5 to 10 years and extends renewal period from 5 to 10 years.	ENACTED 3/20/18. Takes effect 91 days after legislature adjourns.
CO	H1299	3/19/18	Establishes an electronic certificate of title system to record ownership, liens and releases, and registrations of motor vehicles. This bill will also eliminate notary requirements from the certificate of title process.	ENACTED 5/29/18. Takes effect on 7/1/19.
CT	S390	3/1/18	Provides that municipal liens against real property are not effective unless recorded in the land records. Also establishes priority of such liens.	FAILED. Legislature Adjourned without passing the bill.
DE	S196	5/3/18	Amends the DE UCC; The bill would amend the definition of "Person" in §1-201(b)(27), to include a series of any entity that would fall within that definition. In addition, the bill would amend the definition of "Registered Organization" in §9-102(a)(71) to include a series of a registered organization if the series is an organization formed or organized under the law of a single State and the statute of the State governing the series requires that the public organic record of the series be filed with the State.	ENACTED 7/23/2018. Takes effect on 8/1/2019.

State	Bill	Introduced	Description	Status
GA	H661	1/8/18	Amends the requirements for the transmittal, filing, recording, access to, and territorial effect of tax liens issued by the Department of Revenue. The bill also provides for electronic record keeping relating to the filing and public access to state tax liens.	ENACTED on 2/20/18. Took effect immediately.
HI	H403	1/20/17	If debt secured by a mortgage is also secured by an assignment of leases and rents, this bill would require a mortgagee to reassign or release an assignment of leases and rents upon full satisfaction and discharge of the secured debt.	FAILED. Legislature Adjourned without passing the bill.
IL	H2351	2/2/7	Creates a lien for unpaid wages that must be perfected by filing a notice of lien in the UCC records.	Carryover from 2017. Pending.
IL	H4324	1/23/18	Enacts the Wage Lien Act. Provides a lien for unpaid employee wages. The lien against personal property must be perfected by filing a notice of lien in the secretary of state UCC records. The lien must be perfected against real property by filing with the county recorder. Appears similar to HB 2351, which was introduced in 2017.	Passed House on 4/27/18. Passed Senate as amended on 5/25/18. House voted to non-concur in Senate amendments on 5/31/18.
IL	S2224 (2017)	7/21/17	Repeals the State Tax Lien Registration Act.	Assigned to the Senate Committee on Revenue on 1/24/18.
IL	S2470	1/30/18	Sets restrictions on expedited processing of applications to remove a lienholder from a certificate of title for a motor vehicle. The bill also provides that each certificate of title reflecting a lienholder shall have an expiration date and if the lienholder does not apply for an extension by that date the owner may apply for a clear certificate of title.	Assigned to Transportation Committee.
IL	S2958	2/14/18	Amends the State Tax Lien Registration Act. Requires notices of state tax liens to specify the county or counties where real property subject to the lien is located and limits the scope of a notice of tax lien to just the real property in the counties specified.	ENACTED on 8/3/18. Took effect immediately.

State	Bill	Introduced	Description	Status
IL	S3096	2/15/18	Provides a uniform statewide system for filing notices of liens that are in favor of or enforced by the Department of Employment Security. The Department of Revenue shall maintain the system. The scope of the Act is limited to liens in real property and personal property, tangible and intangible, of taxpayers or other persons or entities against whom the liens arise for unpaid final liabilities.	Passed Senate on 4/25/18 and is now pending in the House.
IN	S384	1/4/18	Creates a lien in favor of an agricultural supply dealer who provides an agricultural supply to a farmer. The lien must be perfected by filing a UCC financing statement in compliance with Article 9. Also provides that within 4 days after receipt of a certified request from an agricultural supply dealer a financial institution with a security interest in the collateral must issue a memorandum that states whether or not the farmer has a sufficient net worth or line of credit to assure payment of the purchase price on the terms of the sale.	FAILED. Legislature Adjourned without passing the bill.
IA	H2437	2/20/18	Allows for cancellation of a security interest indicated on a certificate of title by a separate notarized form or letter. Formerly HSB 56 (2017), which has been approved by committee for introduction.	FAILED. Legislature Adjourned without passing the bill.
IA	HSB142	2/21/17	Creates a central notification system for security interests in farm products under the federal Food Security Act. Currently, a secured party in Iowa must deliver direct notice to the potential buyers of farm products to prevent the buyers from taking the farm products free of the security interest. This bill provides for the filing of Effective Financing Statement records (EFS) with the secretary of state. The bill also requires the secretary of state to create the central notification system and obtain certification by the U.S. Department of Agriculture. The bill requires the secretary of state to compile a master list of EFS records and regularly distribute it to buyers of farm products.	FAILED. Legislature Adjourned without passing the bill.

State	Bill	Introduced	Description	Status
IA	HSB180	3/7/17	Amends the state's version of UCC § 9-516(b) to require the filing office to reject a UCC record if the debtor and secured party appear to be the same person, although the filing office may accept the record with reasonable proof that the parties are not the same. In addition, the bill makes it a crime to communicate a record to the filing office without authorization under UCC § 9-509 with the intent to harass or defraud the person identified as debtor.	FAILED. Legislature Adjourned without passing the bill.
IA	HSB604	1/31/18	Prohibits the filing of unauthorized UCC records. The bill prohibits a person from filing a UCC record that is not authorized under UCC 9-509, is not related to a transaction governed by Article 9, and filed with the intent to harass or defraud the person identified as a debtor. The first offence would be a misdemeanor and a subsequent offence a felony.	FAILED. Legislature Adjourned without passing the bill.
IA	S2325	2/19/18	Allows for cancellation of a security interest indicated on a certificate of title by a separate notarized form or letter. Formerly S157 (2017).	ENACTED 3/28/18. Takes effect on 7/1/18.
IA	S1067	2/8/17	Extends the time period from 20 to 60 days within which the owner of a custom cattle feedlot or the owner's personal representative may file a UCC financing statement to perfect an agricultural lien attaching to the cattle and identifiable cash proceeds from the sale of the cattle for the amount incurred in feeding and caring for the cattle.	FAILED. Legislature Adjourned without passing the bill.
KS	S10	1/10/17	Amends KS law that prohibits filing false liens against public officials to provide that if a court rules that a claim should be set aside then its findings of fact and conclusions of law should prohibit the person from filing future liens without court permission.	FAILED. Legislature Adjourned without passing the bill.
KS	S39	1/18/17	Requires that after a tax warrant has been docketed with the clerk of the district court, the secretary of revenue must file a notice of lien with the secretary of state in accordance with Part 5 of Article 9. The notice of lien will be effective for 10 years.	FAILED. Legislature Adjourned without passing the bill.

State	Bill	Introduced	Description	Status
KY	S139	2/9/18	Substitute bill passed out of committee on 3/16/18 included new provisions for perfection and discharge of liens on motor vehicles.	ENACTED on 4/10/18. Takes effect 90 days after the General Assembly adjourns.
MA	H1495 (2017)	2/24/17	Provides that the assessment of personal property taxes by a municipal board of assessments shall have the same force and effect as a signed security agreement under UCC Article 9. The lien is perfected by filing a UCC financing statement and may be continued, assigned, etc. in accordance with Article 9.	From Revenue Committee with Study Order.
MI	S516	9/6/17	Provides for the mediation of the enforcement of indebtedness against agricultural property. This bill prohibits a person from filing an action to foreclose a mortgage or land contract if the Farm Loan Mediation Act (see SB 517 below) applies to the debt secured by the mortgage or land contract. This bill will not take effect unless SB 517 is also enacted.	Carryover from 2017. Assigned to the Banking and Financial Institutions Committee.
MI	S517	9/6/17	Enacts the Farm Loan Mediation Act. The bill provides for the mediation of the enforcement of indebtedness against agricultural property. This bill will not take effect unless SB 516 and SB 518 are also enacted.	Carryover from 2017. Assigned to the Banking and Financial Institutions Committee.
MI	S518	9/6/17	Provides the prerequisites for beginning a foreclosure action when the Farm Loan Mediation Act applies to the debt on which the security interest is based. This bill will not take effect unless SB 517 is also enacted.	Carryover from 2017. Assigned to the Banking and Financial Institutions Committee.
MI	S520	9/6/17	Requires the Secretary of State to sell bulk UCC data and images.	Carryover from 2017. Passed Senate on 10/3/17. Pending in House Commerce and Trade Committee.
MI	S731	12/13/17	Updates method of perfecting lien for unpaid personal property taxes. Removes reference to chattel mortgage and instead requires treasurer to file affidavit with county recorder in the same manner as a UCC financing statement.	ENACTED on 6/19/18. Bill contains multiple effective dates.

State	Bill	Introduced	Description	Status
MN	H983	2/9/17	Clarifies eligibility for lien by those who furnish feed to a livestock producer and eliminates the livestock production input lien and temporary livestock production input lien.	FAILED. Legislature Adjourned without passing the bill.
MN	S993	2/15/17	Clarifies eligibility for lien by those who furnish feed to a livestock producer and eliminates the livestock production input lien and temporary livestock production input lien. Same as HB 983.	FAILED. Legislature Adjourned without passing the bill.
MO	H1633	1/3/18	Substitute bill provides that filing or attempting to file a fraudulent UCC or other record is a felony and includes expedited review. Repeals existing non-uniform fraudulent filing provisions in Missouri's version of UCC § 9-501. Appears similar to HB 1769 and SB 750.	FAILED. Legislature Adjourned without passing the bill.
MO	H1769	1/3/18	Provides that filing or attempting to file a fraudulent UCC or other record is a felony and includes expedited review. Repeals existing non-uniform fraudulent filing provisions in Missouri's version of UCC § 9-501. Similar to SB 750.	ENACTED on 6/1/18. Takes effect 8/28/18.
MO	H2419	2/8/18	Adopts the Missouri Electricity Bill Reduction Assistance Act. Included in the Act are provisions that preempt certain Article 9 filing requirements with respect to a security interest in, or the sale or transfer of, bonds issued to finance electrical corporations. A financing statement filed under this Act is sufficient only if it refers to the applicable statutory sections of the Act and indicates the financing order that created the bonds. Similar to SB 698.	FAILED. Legislature Adjourned without passing the bill.
MO	S750	1/3/18	Provides that filing or attempting to file a fraudulent UCC or other record is a felony and includes expedited review. Repeals existing non-uniform fraudulent filing provisions in Missouri's version of UCC § 9-501. Similar to HB 1769.	FAILED. Legislature Adjourned without passing the bill.

State	Bill	Introduced	Description	Status
MO	S968	1/29/18	Adopts the Missouri Electricity Bill Reduction Assistance Act. Included in the Act are provisions that preempt certain Article 9 filing requirements with respect to a security interest in, or the sale or transfer of, bonds issued to finance electrical corporations. A financing statement filed under this Act is sufficient only if it refers to the applicable statutory sections of the Act and indicates the financing order that created the bonds. Similar to HB 2419.	FAILED. Legislature Adjourned without passing the bill.
NE	L52 2017	1/5/17	Adopts the Modern Tax Act, which imposes a tax on interest payable on certain loans to a Nebraska resident or organization formed under NE law or an organization that has its principal office in NE. This includes "loans secured by a financing statement filed with the secretary of state." The tax is payable by the debtor with each regularly scheduled payment. The lender must collect and remit the tax to the tax commissioner on a monthly basis.	FAILED. Legislature Adjourned without passing the bill.
NM	H80	1/16/18	Provides for security interests in energy redevelopment property. If enacted, this bill would require perfection of a security interest in redevelopment property by filing a financing statement in compliance with UCC Article 9, except that the collateral description of the financing statement must refer to the Energy Redevelopment Bond Act and the financing order creating the energy redevelopment property. Also, any such financing statement is effective until terminated. Similar to SB 47.	FAILED. Legislature adjourned without passing the bill.
NM	S47	1/16/18	Provides for security interests in energy redevelopment property. If enacted, this bill would require perfection of a security interest in redevelopment property by filing a financing statement in compliance with UCC Article 9, except that the collateral description of the financing statement must refer to the Energy Redevelopment Bond Act and the financing order creating the energy redevelopment property. Also, any such financing statement is effective until terminated. Similar to HB 80.	FAILED. Legislature adjourned without passing the bill.

State	Bill	Introduced	Description	Status
NM	S216	1/29/19	Makes technical correction to § UCC 9-620.	FAILED. Legislature adjourned without passing the bill.
NY	A628	1/10/17	Provides for an employee's lien for unpaid wages on the employer's personal property. The claimant must file a notice of lien and financing statement in the office designated in UCC § 9-501. The financing statement is effective for 1 year, but that may be extended for additional 1-year periods. Similar to S579.	Carryover from 2017. Assigned to the Judiciary Committee.
NY	A4498	2/2/17	Similar to SB 206 and SB 3707. Makes filing a false lien against the real or personal property of a public official on account of performance of official duties a felony.	Carryover from 2017. Assigned to the Codes Committee.
NY	A5238	2/7/17	Amends UCC § 9-102 to add a definition for "Payment assurance device." The term would mean any device installed that could remotely disable a vehicle. The bill includes an amendment to the General Business Law that places restrictions on the use of payment assurance devices.	Carryover from 2017. Assigned to Consumer Affairs and Protection Committee.
NY	A6842	3/22/17	Provides for an environmental lien against the real property of any person from whom the state may recover costs under the state finance law.	Carryover from 2017. Assigned to Environmental Conservation Committee.
NY	A10240	3/26/18	Provides for a lien in favor of a motor vehicle owner against any interest in property of a commercial towing company arising out of any claim of illegal or improper practices relating to the towing of motor vehicles. Notice of such lien must be filed along with a financing statement in the office designated by UCC § 9-501.	Assigned to Judiciary Committee.
NY	A10755	5/16/18	Amends the state's version of UCC § 9-611. The bill would add a new paragraph to subsection (f) that requires a lender or a loan servicer to provide a notice to the borrower or borrowers at least 90 days before it commences legal action related to a reverse cooperative apartment unit loan foreclosure.	Assigned to Banks Committee.

State	Bill	Introduced	Description	Status
NY	S206	1/4/17	Makes filing a false lien against the real or personal property of a public official on account of performance of official duties by the individual a felony.	Carryover from 2017. Assigned to the Judiciary Committee.
NY	S579	1/4/17	Provides for an employee's lien for unpaid wages on the employer's personal property. The claimant must file a notice of lien and financing statement in the office designated in UCC § 9-501. The financing statement is effective for 1 year, but that may be extended for additional 1-year periods.	Carryover from 2017. Assigned to the Judiciary Committee.
NY	S3707	1/26/17	Similar to SB 206. Makes filing a false lien against the real or personal property of a public official on account of performance of official duties by the individual a felony.	Carryover from 2017. Assigned to the Codes Committee.
NC	H238	3/6/17	Creates an employee wage lien on personal property that is perfected by filing a notice of lien in the secretary of state UCC records. Wage liens on real property are filed with the county recorder. The bill also raises the minimum wage to \$15/hr.	FAILED. Legislature Adjourned without passing the bill.
NC	H749	4/11/17 Pre-Filed	Allows issuance of a limited identification card to an undocumented alien and amends UCC § 9-503(a)(4) to add the limited identification card to the sufficient sources of an individual debtor name for purposes of a financing statement.	FAILED. Legislature Adjourned without passing the bill.
NC	S174	3/2/17	Creates an employee wage lien on personal property that is perfected by filing a notice of lien in the secretary of state UCC records. Wage liens on real property are filed with the county recorder. The bill also raises the minimum wage to \$15/hr.	FAILED. Legislature Adjourned without passing the bill.
OK	H1218	2/6/17	Extends the time period for resubmission of title application for a special lien on titled personal property by persons who provide storage, services, material, labor or skill to the owner from 15 to 30 days. Similar to HB 2314.	FAILED. Legislature Adjourned without passing the bill.

State	Bill	Introduced	Description	Status
OK	H1281	2/6/17	Adopts the Oklahoma Construction Registry Act, which provides that a provider of labor, materials, services or rental equipment may register to preserve its lien. The registration takes the place of pre-lien notice. Amendments on 3/1/17 provide that the registry would be administered by party under contract with the state.	FAILED. Legislature Adjourned without passing the bill.
OK	S127	2/6/17	Increases the time limit for submitting certain documents for perfection of a lien on a motor vehicle from 25 to 30 days.	FAILED. Legislature Adjourned without passing the bill.
OR	H4087	2/5/18	Originally required that a person must have a bond in effect in the amount of \$20,000 prior to creating, attaching, asserting or claiming title to a motor vehicle. Amended to limit bonding requirement to those who assert a lien for repair, alteration, storage, or labor on a motor vehicle.	ENACTED on 4/4/18. Takes effect 1/1/19.
PA	S349	2/15/17	The bill makes it a crime to simulate legal process, including actions that affect title to real or personal property. The language is broad enough to encompass fraudulent UCC records and similar false liens. The bill also makes it a crime to hinder public officials and to use unofficial license plates.	Carryover from 2017. Assigned to the Judiciary Committee.
RI	H7325	1/26/18	Provides employees with a lien for unpaid wages. The lien would be established by filing a complaint in the superior court.	The bill was assigned to the House Labor Committee.
RI	H7893	2/28/18	Provides employees with a lien for unpaid wages. The lien would be established by filing a complaint in the superior court.	The bill was assigned to the House Labor Committee.
RI	S2619	3/1/18	Provides employees with a lien for unpaid wages. The lien would be established by filing a complaint in the superior court.	Passed Senate 4/10/18. The bill was assigned to the House Labor Committee.
SD	H1115	1/22/18	Modifies agricultural liens related to crops and seeds.	ENACTED. Signed by the governor on 2/22/18. Takes effect 7/1/18.

State	Bill	Introduced	Description	Status
SD	H1248	1/31/18	Addresses fraudulent UCC filing. Amends state's version of UCC § 9-516(b) to give the secretary of state wide discretion to reject a UCC record.	ENACTED. Signed by the governor on 3/9/18. Takes effect 7/1/18.
TN	H156	1/30/17	Extends the time for filing a financing statement to perfect a purchase-money security interest from the already non-uniform 30 days to 60 days. Same as SB 171.	FAILED. Legislature Adjourned without passing the bill.
TN	H1044	2/9/17	Provides that a prime contractor's lien is forfeited if the final decision of the suit brought for its enforcement is not delivered within two (2) years of the lienor bringing the suit to enforce the lien. Imposes penalty on party that unduly delays or extends the action.	FAILED. Legislature Adjourned without passing the bill.
TN	H1772	1/23/18	Provides a remedy for public officials subject to a lien, encumbrance, or any other document that clouds title to real property that was filed without any reasonable basis or legal cause. The bill allows a public official to file an affidavit that lays out the basis for contesting the document, requires the filing office to provide notice to the filer and, if no response is received, remove the record from the index. The bill also provides for judicial review if the filer objects. Appears similar to SB 1971.	See SB 1971.
TN	H2293	1/31/18	Amends the state's version of UCC 9-513 to extend the current fraudulent UCC filing protections applicable to public officials to all Tennessee residents. Appears similar to SB 1954.	FAILED. Legislature Adjourned without passing the bill.
TN	S171 2017	1/30/17	Extends the time for filing a financing statement to perfect a purchase-money security interest from the already non-uniform 30 days to 60 days. Same as HB 156.	FAILED. Legislature Adjourned without passing the bill.

State	Bill	Introduced	Description	Status
TN	S843 2017	2/9/17	Provides that a prime contractor's lien is forfeited if the final decision of the suit brought for its enforcement is not delivered within two (2) years of the lienor bringing the suit to enforce the lien. Imposes penalty on party that unduly delays or extends the action. Similar to HB 1044	FAILED. Legislature Adjourned without passing the bill.
TN	S1954	1/29/18	Amends the state's version of UCC 9-513 to extend the current fraudulent UCC filing protections applicable to public officials to all Tennessee residents.	FAILED. Legislature Adjourned without passing the bill.
TN	S1971	1/30/18	Provides a remedy for public officials subject to a lien, encumbrance, or any other document that clouds title to real property that was filed without any reasonable basis or legal cause. The bill allows a public official to file an affidavit that lays out the basis for contesting the document, requires the filing office to provide notice to the filer and, if no response is received, remove the record from the index. The bill also provides for judicial review if the filer objects. Appears similar to HB 1772.	ENACTED on 5/1/18. Takes effect on 7/1/18.
VA	H580	1/10/18	Provides for the issuance of a driver's privilege card to persons who have VA income or have filed VA state income tax returns. It also includes an amendment to VA's version of UCC § 9-503(a)(4) that would add the driver's privilege card to the acceptable sources of an individual debtor name for purposes of a financing statement.	FAILED. Legislature adjourned without passing the bill.
VA	H1318	1/10/18	Provides for the issuance of a driver's privilege card to persons who have VA income or have filed VA state income tax returns. It also includes an amendment to VA's version of UCC § 9-503(a)(4) that would add the driver's privilege card to the acceptable sources of an individual debtor name for purposes of a financing statement. Appears the same as HB 580.	FAILED. Legislature adjourned without passing the bill.

State	Bill	Introduced	Description	Status
VA	S621	1/10/18	Provides for the issuance of a driver's privilege card to persons who have VA income or have filed VA state income tax returns. It also includes an amendment to VA's version of UCC § 9-503(a)(4) that would add the driver's privilege card to the acceptable sources of an individual debtor name for purposes of a financing statement. Appears the same as HB 580.	FAILED. Died in Transportation Committee 1/24/18.
WA	H1486	1/20/17	Enacts the Washington Wage Recovery Act. Provides a lien for unpaid wages. The lien against personal property must be perfected by filing a notice of claim with the Department of Licensing. The lien must be perfected against real property by filing a notice of claim with the county auditor.	FAILED. Legislature Adjourned without passing the bill.