

Hall of the House of Representatives
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of House Bill No. 1147

"AN ACT TO REVISE UCC CHAPTER 9 - SECURED TRANSACTIONS, AND TO MAKE
CONFORMING AMENDMENTS TO OTHER CHAPTERS OF THE UNIFORM
COMMERCIAL CODE."

Amendment No. 4 to House Bill No. 1147.

Amend House Bill No. 1147 as engrossed, H3/20/01:

Page 72, delete line 24, and substitute the following:

"(2) the Office of the Circuit Clerk in the county in which the debtor is located in this state if the debtor is engaged in farming operations and the collateral is equipment used in farming operations, or farm products, or accounts arising from the sale of farm products; or
(3) the Office of the Secretary of State, in all other cases,"

AND

Page 93, line 3, delete "record under" and substitute "record, whether by paper or electronically, under"

AND

Page 93, delete lines 5 through 9 and substitute the following:

"(1) Records filed only with the Secretary of State pursuant to § 4-9-501(a)(3), from July 1, 2001 through June 30, 2013 - \$16.00, for filing and indexing the initial financing statement and termination statements, if the record consists of one page. On and after July 1, 2013 - \$12.00, for filing and indexing the initial financing statement and termination statements, if the record consists of one page;

(2) Records filed with Circuit Clerks pursuant to § 4-9-501(a)(2) - \$12.00, for filing and indexing the initial financing statement and termination statements, if the record consists of one page;

(3) \$0.50 per page up to a maximum of \$100 if the record consists of more than one page."

AND

Page 93, delete line 10 and substitute the following:

"(b)(1) The fee for filing a continuation, whether with the Secretary of State or a Circuit Clerk, is \$6.00.

(2) The fee for filing a termination statement, whether with the Secretary of State or a Circuit Clerk, is \$6.00 if it pertains to the filing of a financing statement before July 28, 1995.

(3) The fee for each separate search, whether by the Secretary of State or a Circuit Clerk, is \$6.00.

(4) The fee for filing an assignment, whether with the Secretary of State or a Circuit Clerk, is \$6.00.

(5) The fee for filing a release, whether with the Secretary of State or a Circuit Clerk, is \$6.00.

(6) The fee for filing an amendment, whether with the Secretary of State or a Circuit Clerk, is \$6.00."

AND

Page 93, delete lines 23 through 36, and substitute the following:

"(f) The Secretary of State shall report periodically to the Treasurer of State the number of filing and indexing fees collected under subdivision (a)(1) during the period from July 1, 2001 through June 30, 2013, and the Treasurer of State shall deposit \$12.00 of every such fee in a separate account for the benefit of those Circuit Clerks who qualify under this subsection. The proceeds in the account shall be distributed by the Treasurer of State at least quarterly to the County Recorder Cost Fund of the counties of qualifying Circuit Clerks in the proportion that the total of the filing and indexing fees (other than fees charged solely for filing records related to collateral which is equipment used in farming operations, or farm products, or accounts or general intangibles arising from or relating to the sale of farm products by a farmer or crops growing or to be grown) collected by each qualifying clerk in calendar year 1999 under former Chapter 9 of the Uniform Commercial Code bears to the total of those same filing and indexing fees collected by all qualified distributees. Said calculations shall be determined in a reasonable manner. The clerks qualified to share in these distributions shall be the Circuit Clerks of the counties who file with the Treasurer of State no later than September 1, 2001 a sworn record stating the total amount of the relevant indexing and filing fees of the kind described in this subsection collected by said clerks in 1999, and the Treasurer of State shall use these sworn records in computing the pro rata share of each qualified distributee."

AND

Page 94, delete line 1

The Amendment was read _____
By: Representative Napper
LH/RRS - 032220011438
RRS754

Chief Clerk