

UNIFORM COMMERCIAL CODE COMMITTEE
REPORT PREPARED FOR THE MARCH 22, 2007 COUNCIL MEETING
BUSINESS LAW SECTION

1. 2006-2007 Budget Request

The Committee requests \$500 for this coming year.

2. Next Scheduled Meeting of the Committee

The next meeting of this Committee will be scheduled for May or June 2007.

3. Council Approval

Nothing to report.

4. Membership

The list of members of the Committee was updated at the end of 2005.

5. Accomplishments Toward Committee Objectives

I am keeping abreast of current developments which are transmitted to the Committee members and other interested parties on a periodic basis.

6. Meetings and Programs

I have suggested to ICLE the possibility of a program on troubled auto supplier issues and am awaiting ICLE's response.

7. Publications

Articles on UCC topics were published in the Summer 2006 issue of the Michigan Business Law Journal.

8. Legislative/Judicial Administrative Developments

A copy of an email message from Professor Keith Rowley concerning state adoption of Revised Article 1 of the UCC and recent bills introduced in the Oklahoma legislature for adoption of recent amendments to Articles 2, 2A, 3 and 4.

9. Miscellaneous

Nothing else to report.

Respectfully submitted,

Patrick E. Mears

Patrick Mears - [Ucclaw-l] UCC Legislative Update (3/1/07)

From: <keith.rowley@unlv.edu>
To: <aals-commercial@brooklaw.edu>, <AALSContracts@LISTS.UMN.EDU>, <ucclaw-l@lists.washlaw.edu>
Date: 3/5/2007 9:10 AM
Subject: [Ucclaw-l] UCC Legislative Update (3/1/07)
CC: Katie Robinson <KRobinson@ncqsl.org>

What looked to be a prolific year for Revised Article 1 -- based on the number of January introductions -- now looks like it might produce **fewer** adoptions than either 2005 or 2006.

Utah **SB 91** has passed both houses, but has not yet made its way to Governor Jon Hunstman, Jr.'s desk. Indiana **SB 419**, Kansas **SB 183**, and North Dakota **HB 1035** have each passed one house and are in the other. Parallel bills Florida **HB 151** and **SB 252** are slowly progressing through their respective originating houses. Rhode Island **SB 105** has been idling since its mid-January introduction. South Dakota **SB 85** was been tabled until after the legislative session adjourns.

Utah SB 91, Indiana SB 419, and Kansas SB 183 have each been amended to replace uniform R1-301 with choice-of-law language tracking pre-Revised 1-105 -- keeping uniform R1-301's 0-for-22 streak alive. Kansas SB 183 and North Dakota HB 1035 adopt the uniform R1-201(b)(20) good faith standard. Indiana SB 419, Rhode Island SB 105, and Utah SB 91 retain the bifurcated good faith standard of pre-Revised 1-201(19), 2-103(1)(b) & 2A-103(3).

Elsewhere on the UCC front ...

Oklahoma **HB 2172**, proposing adoption of the 2003 amendments to UCC Articles 2 & 2A (along with certain conforming amendments to other articles), was introduced on February 5 and referred to the Oklahoma House Rules Committee on February 6. No further action has been reported.

Oklahoma **HB 2171**, proposing adoption of the 2002 amendments to UCC Articles 3 & 4 (along with certain conforming amendments to other articles), was also introduced on February 5 and referred to the Oklahoma House Rules Committee on February 6. No further action has been reported.

Keith

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