ULC PROJECT LIST
Active Drafting and Study Committees as of September 2023

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Drafting Committees

- **Antitrust Pre-Merger Notification Act**
  This committee will draft a uniform or model act requiring companies that submit a pre-merger notification filing pursuant to the federal Hart-Scott-Rodino Act to share their initial filing with the State Attorney General on request, subject to confidentiality protections equivalent to or stronger than under federal law. The act must balance the needs of state enforcers for information with the burdens and risks to filers. Within this mandate, the drafting committee must pay special attention to issues such as the circumstances that might permit a state to access the information (e.g., does the state have a substantial nexus to the transaction); the scope of the information that must be provided (subsequent HSR filings can be massive); the obligations imposed on states that receive the information (the state must act within a time limit like the federal government; the confidentiality protections must be at least as strong as federal law; if competitors can abuse the process via state FOIA provisions to access the confidential business data, the law may be counterproductive and anticompetitive); and the likelihood that the act might call for fees or an adverse fiscal statement that would make it unenactable. *This committee aims to finalize its work in July 2024. The committee’s work is available here.*

- **Assignment for Benefit of Creditors Act**
  An assignment for benefit of creditors (ABC) is a voluntary, debtor-initiated state law alternative to the bankruptcy process, state receiverships, and voluntary workouts. Though initiated by the debtor, ABCs may provide benefits to creditors as well as debtors that alternative procedures do not. However, ABC statutes vary widely from state to state, as do custom and practice; thus, the use of ABCs varies across the country. The Study Committee on Assignment for Benefit of Creditors recommended that a drafting committee be formed to address (1) state ABC law’s interaction with bankruptcy and other state and federal laws; (2) choice of law rules, including whether an ABC should be treated as a security interest; (3) court involvement in the ABC process; and (4) transparency, due process, conflicts of interest, and adequate notice procedures, particularly with respect to duties of assignees. This committee will draft a uniform or model act on the subject. *This committee was authorized in May 2023 and has not yet met.*

- **Conflict of Laws in Trusts and Estates Act**
  This committee will draft a uniform or model act to address the problems of conflict of laws in trusts and estates. The committee will address trusts, wills, will substitutes, intestacy, estate administration, fiduciary powers and duties, powers of appointments, powers of attorneys, jurisdictional claims, and statutes of limitations. *This committee first met in spring 2022. The committee’s work is available here.*

- **Cybercrime Act**
  This committee will draft a uniform or model act addressing the procedures for preserving and obtaining evidence needed to bring a cybercrime case in state court. Procedures in state law might include expedited preservation of stored computer data and/or traffic data; a uniform nationwide production order for data; search and seizure of stored computer data; real-time collection of traffic data; and interception of content data. *This committee was authorized in July 2023 and has not yet met.*
• **Judicial Interview Procedures for Children Act**
  This committee will draft a uniform or model act addressing custody, visitation, parentage, and related proceedings in which other law permits or requires the child’s views to be heard. The act should address (1) the factors to be considered when the law accords judicial discretion as to whether a child’s views should be heard; and (2) the procedures to be used when either (a) the law requires or (b) a judge determines to permit a child’s views to be heard. The procedures should explicitly address due process rights of parents, including access to the results of the interview. *This committee was authorized in May 2023 and has not yet met.*

• **Mortgage Modifications Act**
  This committee will draft uniform or model state legislation on mortgage modifications. Topics to be addressed include the extent to which the modification of some of the terms of a mortgage loan require the execution and recordation of an instrument modifying the currently recorded mortgage document, as well as the extent to which the mortgage retains its priority to secure repayment of the debt as modified. *This committee aims to finalize its work in July 2024. The committee’s work is available [here.](#)*

• **Redaction of Personal Information from Public Records Act**
  This committee will draft a uniform or model act concerning the ability of judicial officers, law enforcement personnel, and others who demonstrate a credible risk of harm to have their personal information redacted from real property records and other official public records. *This committee was authorized in July 2023 and has not yet met.*

• **Tenants in Common Transactions Act**
  The committee will draft uniform or model state legislation to resolve problems arising under common law tenancy in common ownership rules. The act will provide tenants in common the ability to maintain their tenancy in common relationship and engage in transactions that can benefit all tenants in common even though some of the tenants in common cannot be located. *This committee aims to finalize its work in July 2024. The committee’s work is available [here.](#)*

• **Unincorporated Organization Acts**
  This drafting committee will develop amendments to the Uniform Partnership Act, the Uniform Limited Partnership Act, and the Uniform Limited Liability Company Act, with the understanding that the update does not include wholesale policy revisions. *This committee aims to finalize its work in July 2024. The committee’s work is available [here.](#)*

• **Virtual Currency Customer Protection Act**
  This committee will develop a new act to replace the Uniform Supplemental Commercial Law for the Uniform Regulation of Virtual Currency Business Act (USCL). As with the USCL, the act will require covered businesses to opt into Uniform Commercial Code Article 8 by becoming securities intermediaries and treating a customer’s rights to its own virtual currency as a “financial asset.” The act will be a free-standing act, not linked to the Uniform Regulation of Virtual Currency Business Act as the USCL was, and will fit on top of whatever regime a state has in place or later adopts to regulate virtual currencies. *This committee was authorized in June 2023 and has not yet met.*

2
**Commercial Financing Disclosure**
This committee will study the need for and feasibility of a uniform or model act providing for standardization of disclosure requirements for commercial financing (i.e., traditional bank loans as well as other products such as factoring and revenue-based financing). The study committee will assess whether a uniform or model act could help increase efficiency, reduce compliance costs, and reduce uncertainty regarding the governing law for transactions that may involve parties located in two or more states. *This committee was authorized in November 2022.*

**Deepfakes**
This committee will study the need for and feasibility of a uniform or model act addressing the specific issues of (1) non-consensual deepfake pornography and (2) election-related deepfakes. In considering the need for a uniform or model act, the study committee should analyze existing potential claims such as tort and copyright claims and assess the benefits of additional claims. The study committee should analyze the narrowly focused legislation that several states have already enacted related to those specific categories of deepfakes and should thoroughly analyze the extent to which the First Amendment, as well as Section 230 of the federal Communications Decency Act, would limit state legislation on the topic. *This committee was authorized in November 2022.*

**Election Law**
This committee will study the need for and feasibility of a model act on the subject. *This committee was authorized in January 2021.*

**Gamete Donor Identity Disclosure**
This committee will consider whether gamete donor identification should be mandatory upon request by a donor-conceived child. The committee should consider (a) whether to revise Article 9 of the Uniform Parentage Act (2017), (b) whether to draft a separate act on the subject, and (c) whether the issues addressed in Sections 904 and 905 of the Uniform Parentage Act (2017) should be moved into a separate article. *This committee was authorized in May 2023.*

**Hague Judgments Convention, Hague Convention on Choice of Court Agreements, and Final Non-Monetary Judgments**
This committee will recommend the most appropriate method or methods for implementing the Conventions in the United States and study the need for and feasibility of one or more uniform acts (including the Uniform Choice of Court Agreements Implementation Act and a possible revision of the Uniform Foreign-Country Money Judgments Recognition Act) on those topics. *This committee was authorized in May 2022.*

**Indian Child Welfare Act Issues**
This committee will study the need for and feasibility of a uniform or model act addressing issues related to the Indian Child Welfare Act (ICWA) of 1978, a federal law that governs the removal and out-of-home placement of American Indian children. Some states have implemented statutes aimed at facilitating the application of the federal statute by state courts,
but significant gaps remain. A uniform or model act could clarify or expand upon the protections provided in ICWA. *This committee was authorized in July 2022.*

- **Military Spouse Occupational Licensing**
  This committee will study the need for and feasibility of a uniform or model act on the portability and recognition of professional licenses of military spouses in light of recent developments. Occupational licensure portability remains an enduring problem for military spouses, as the duration of military assignments, coupled with inconsistent, lengthy and expensive relicensing processes, discourages military spouses from seeking licensure. *This committee was authorized in January 2022.*

- **Model Marketable Title Act**
  This committee will study the need for and feasibility of updating the Model Marketable Title Act. The Model Act, which was derived from Article 3 of the Uniform Simplification of Land Transfers Act, was promulgated in 1990 and enacted in one state before being withdrawn as obsolete in 2015. However, about 20 states have marketable title statutes, some of which include provisions from the Model Act. *This committee was authorized in July 2022.*

- **Patent Rights in Employment**
  This committee will study the need for and feasibility of two common law doctrines in state law that operate to allocate rights to inventions when the inventor is an employee. First, in the absence of an agreement between employee and employer, the shop-right doctrine is the default rule: when an employee creates an invention during working hours or with the use of the employer’s resources, the employer is entitled to a nonexclusive and nonassignable right to use the invention without payment of a royalty. Second, employees and employers may enter into an agreement to assign the employee/inventor’s rights to an invention to the employer. Employees hired or assigned to do inventive work are presumed to agree to assign inventions to their employers. The study committee will assess these doctrines to determine if either or both might be a good candidate for a uniform or model act that could unify and clarify an existing body of common law. *This committee was authorized in November 2022.*

- **Probate and Non-Probate Transfer Integration**
  Many provisions of the Uniform Probate Code, including the provisions governing creditors’ rights and the elective share of a surviving spouse, take into account the decedent’s probate and non-probate transfers. So do the provisions of federal and state law imposing wealth transfer taxes. These provisions assume that someone is able to integrate the decedent’s probate and non-probate estates. Yet the court-appointed personal representative of the decedent’s probate estate often encounters great difficulty in gathering information about the decedent’s non-probate transfers. This committee will study the need for and feasibility of a uniform or model act on the subject, including the possibility of revisions to the relevant portions of the Uniform Probate Code. *This committee was authorized in May 2023.*

- **Transfers to Minors Act**
  This committee will study the need for and feasibility of updating the Uniform Transfers to Minors Act. Under this act, which was promulgated in 1983 and amended in 1986, and which has 52
enactments, a person may transfer property to a custodian for the benefit of a minor. *This committee was authorized in January 2022.*

- **U.N. Convention on International Settlement Agreements Resulting from Mediation**
  The primary focus of this study committee will be on the potential impact of the U.N. Convention on International Settlement Agreements Resulting from Mediation (also known as the Singapore Convention) on existing state law, including how ratification would affect the Uniform Mediation Act and state contract law. If the study committee should conclude that ratification by the U.S. is desirable, it should consider appropriate methods of implementation. This committee is expected to produce recommendations regarding the Convention rather than a recommendation regarding establishment of a drafting committee. *This committee was authorized in July 2021.*

- **Use of Artificial Intelligence by State Government**
  This committee will study the need for and feasibility of an act addressing the use of artificial intelligence tools by state governments to carry out governmental services, including requirements for the procurement process; requirements for conducting and responding to audits; requirements for disclosure of a tool's capabilities; provisions designed to avoid bias or other harms; provisions addressing redress, appeal, reporting, and licensing transparency; and related issues. *This committee was authorized in July 2023.*

- **Use of Tokens or Other Similar Products in Real Property Transactions**
  This committee will study the need for and feasibility of a uniform or model act addressing issues related to the use of non-fungible tokens (or other similar products) in the transfer and financing of real property. *This committee was authorized in July 2022.*