

**APPENDIX 21 – ANALYSIS OF UCC FILING PROCEDURES FOR SELECTED STATES**

***A. New Hampshire - Current System***

**1. Current System (New Hampshire)**

Paper form UCC1 is completed and sent to the New Hampshire Secretary of State's office along with associated fees. This form contains debtor and creditor names and addresses as well as the type of filing. Collateral is also listed on this form. The state records the date and time of receipt, assigns a unique identifying number and stores the physical forms in a filing cabinet system.

Form UCC3 is used for amending, assigning, continuing and partial releases of UCC filings.

To request a search, form UCC11A is completed and sent to the Secretary of State's office. A manual search of the files is performed by employees of the Secretary of State's office and results of the search are mailed or faxed to the requestor.

**2. New Hampshire – New System**

A new information management system is currently being developed jointly between the state of NH and a contractor. Acceptance Criteria and Specifications” describes in detail the scope and structure of said system. According to Assistant Secretary of State, Anthony Stevens, the software is at the alpha testing stage. It is expected to be in beta usage mode by the end of May 2000 and in use by the summer of 2000.

In summary, the new information management system requires that the standardized National Financing Statement Form UCC1 be completed and sent in paper form to the New Hampshire Secretary of State's office along with associated fees. The state then enters the information into an electronic information system/database per the method described in “Amendment-UCC Image Enablement.”

Form UCC3 will continue to be used for amending, assigning, continuing and partial releases, however, this information will be entered into the information system per the procedure described in the Image Enablement amendment as well.

Form UCC11A will still need to be completed to request a search. The state will search the database and send the results to the requestor. According to Mr. Stevens, outside access to the database is not anticipated.

**B. Data Structure of New Information Management System**

1. **Identification Numbers.** Each initial financing statement is identified by its file number. A record is created in the System for each initial financing statement and all information comprising such record is maintained in such system. Such record is identified by the same information assigned to the initial financing statement. A UCC document other than an initial financing statement is identified by a unique file number assigned by the filing officer. In the System, records of all UCC documents other than initial financing statements are linked to the record of their related initial financing statement.
2. **Type of document.** The type of UCC document from which data is transferred is identified in the System from information supplied by the remitter.
3. **Filing date and filing time.** The filing date and filing time of UCC documents are stored in the System. Calculation of the lapse date of an initial financing statement is based upon the filing date.
4. **Identification of parties.** The names and addresses of debtors and secured parties are transferred from UCC documents to the System using one or more data entry or transmittal techniques. In the System, each party has a status of *active* or *inactive* and a designation as an individual or organization.
5. **Status of financing statement.** In the System, each financing statement has a status of *active* or *inactive*.
6. **Page count.** The total number of pages in a UCC document as maintained in the System.
7. **Presentation Media Indicator.** The source from which the document record was created in the System (e.g., paper, EDI, a global change). This should be a one-byte field, and representative values shall be as follows: If a filing record is created from the global filing program, place a “G” in the field. If a filing record is created from paper, place a “P” in the field. If a filing record is created from an EDI

transmission place an “E” in this field. This field will be used in later development of the UCC information system.

8. **Lapsed Indicator.** An indicator by which the UCC Management System identifies whether a filing has lapsed. It is not absolutely necessary to have a lapse indicator as long as the requested search results can be obtained in a timely manner.
9. **Comment Field.** Each initial filing record shall have the ability to have multiple comment fields. The comment fields shall be 50 bytes in length. The comment field or fields shall be used by the State to record administrative remarks as they relate to the lien. These fields shall be accessible from the system maintenance options only.
10. **NH Special Field.** A special field may be used by amendments that were filed without being assigned their own filing numbers. There are some UCC liens that have not been assigned a unique filing number for each associated UCC 3. These UCC 3's currently have the same number as the UCC 1. It has been anticipated that this field could be used in some manner to solve this problem when doing data conversion. Another possible solution could be to add a -1, -2, etc. behind each sequential UCC'3 that have the same number as the associated UCC 1. This would have to be coordinated with the final design of the numbering system and integrated with the use of check digits, if used, and the current or future maximum length of the file number field.
11. **Lapsed Date.** A date is maintained by which the System identifies when and if a financing statement will lapse.
12. **Transaction Number Field.** The accounting transaction number related to the receipt of payment associated with the filing.

**C. Florida**

The State of Florida allows for the filing of UCC's using paper form UCC1 and amending using paper form UCC3. Completed forms are sent to the Department of State, Division of Corporations for their input into the computer system by department personnel.

Additionally, the state allows for electronic filing, amending and searching via the Internet at no cost. To those with an active account, Electronic filing and amending forms can be accessed at <https://ccfssl.dos.state.fl.us/corpweb/efiling/onlmenu.html>. The UCC database can be searched by anyone with a web browser at site <http://ccfcorp.dos.state.fl.us/corpweb/inquiry/lienmenu.html>.

**D. California**

Completed filing form UCC1 must be brought to an office of the Secretary of State. If the form cannot be brought in by the filer, a service company must be retained to do so. Information from these forms is entered into California's electronic database system.

California uses Form UCC2 for amending, assigning, continuing and partial releases of UCC filings. Again, such filings must be done in person. If the filer is unavailable, a service provider must be hired. A request for information is made by submitting form UCC3. State employees perform the search as requested and report the results to the requestor via mail or fax.

**E. Arizona**

Arizona's system for filing, amending and searching UCC's is very similar to that of California's. Forms UCC1 for initial filing and UCC2 for amending are sent to the state office where state workers enter the information into their electronic database.

For searching, form UCC3 is sent to the state for them to perform a search of their database. The results are returned to the requestor.