

SENATE BILL 77

14

5lr1439
CF HB 312

By: **Chair, Finance Committee (By Request – Maryland Judicial Conference)**

Introduced and read first time: January 23, 2015

Assigned to: Judicial Proceedings

Reassigned: Finance, January 26, 2015

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 13, 2015

CHAPTER _____

1 AN ACT concerning

2 **Commercial Law – Secured Transactions – ~~False Records~~ Financing Statements**

3 FOR the purpose of prohibiting a person from causing a ~~record~~ financing statement to be
4 filed or recorded with a filing office under certain circumstances; ~~authorizing a filing~~
5 ~~office to refuse to accept a record for filing or recording under certain circumstances;~~
6 ~~authorizing a certain person to file a request to terminate a filed record under certain~~
7 ~~circumstances; requiring the request to be accompanied by a certain affidavit;~~
8 ~~requiring the State Department of Assessments and Taxation to adopt by regulation~~
9 ~~and make available a certain request form and affidavit; requiring a filing office, on~~
10 ~~the filing office's refusal to accept a record or on receipt of a request to terminate a~~
11 ~~filed record, to send to certain persons a request to provide certain information;~~
12 ~~authorizing a filing office to terminate a record under certain circumstances;~~
13 ~~prohibiting a filing office from charging or refunding certain fees; requiring a filing~~
14 ~~office to notify certain persons of a certain decision; establishing that the sole remedy~~
15 ~~of a party aggrieved by a filing office's decision is to file a certain petition in the~~
16 ~~circuit court for the county where certain property is located; providing for the~~
17 ~~parties to the proceeding; requiring the prevailing party to provide a copy of the court~~
18 ~~order to the filing office under certain circumstances; requiring the filing office to~~
19 ~~take certain actions on receipt of the court order;~~ requiring a filing office to accept
20 for filing a financing statement that meets certain requirements and send a certain
21 notice in a certain manner to certain persons under certain circumstances;
22 authorizing a certain person to submit a certain affidavit stating certain information;
23 requiring a filing office to send a certain notice if the filing office receives a certain
24 affidavit; requiring the State Department of Assessments and Taxation to adopt by

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 regulation and make available a certain form of affidavit to be used for certain
 2 purposes; authorizing a filing office to terminate a financing statement under certain
 3 circumstances; requiring a filing office that terminates a financing statement to send
 4 notice of the termination to certain persons in a certain manner; requiring a filing
 5 office to review a certain affidavit for a certain purpose and, under certain
 6 circumstances, to send a certain notice to certain persons in a certain manner;
 7 authorizing a certain person, under certain circumstances, to file a certain petition
 8 in a certain circuit court seeking a certain determination; requiring the petition to
 9 be filed within a certain period of time; requiring a certain proceeding to include
 10 certain parties; prohibiting a filing office from being joined as a party to the
 11 proceeding; establishing certain notice procedures for the proceeding; requiring the
 12 court to enter a certain order and a certain party to provide a copy of the order to the
 13 filing office under certain circumstances; requiring the filing office to take certain
 14 actions on receipt of a certain court order; authorizing the court to award to the
 15 prevailing party certain damages, fees, and costs; prohibiting a filing office from
 16 charging or refunding certain fees; authorizing the Department to adopt certain
 17 regulations; defining ~~certain terms~~ a certain term; providing for the application of
 18 this Act; and generally relating to secured transactions.

19 BY adding to

20 Article – Commercial Law

21 Section 9–501.1

22 Annotated Code of Maryland

23 (2013 Replacement Volume and 2014 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

25 That the Laws of Maryland read as follows:

26 **Article – Commercial Law**

27 **9–501.1.**

28 ~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~
 29 ~~INDICATED.~~

30 ~~(2) “RECORD” INCLUDES A FINANCING STATEMENT.~~

31 ~~(3) (i) “REGULATED FINANCIAL INSTITUTION” MEANS A~~
 32 ~~FINANCIAL INSTITUTION SUBJECT TO REGULATORY OVERSIGHT OR EXAMINATION~~
 33 ~~BY A STATE OR FEDERAL AGENCY.~~

34 ~~(H) “REGULATED FINANCIAL INSTITUTION” INCLUDES A BANK,~~
 35 ~~A SAVINGS BANK, A SAVINGS ASSOCIATION, A BUILDING AND LOAN ASSOCIATION, A~~
 36 ~~CREDIT UNION, A CONSUMER FINANCE COMPANY, AN INDUSTRIAL BANK, AN~~
 37 ~~INDUSTRIAL LOAN COMPANY, AN INSURANCE COMPANY, AN INVESTMENT COMPANY,~~

1 ~~AN INVESTMENT FUND, AN INSTALLMENT SELLER, A MORTGAGE SERVICER, A SALES~~
2 ~~FINANCIAL COMPANY, AND A LEASING COMPANY.~~

3 ~~(B) EXCEPT AS PROVIDED IN SUBSECTION (F)(2) OF THIS SECTION, THIS~~
4 ~~SECTION DOES NOT APPLY TO A RECORD FILED OR RECORDED BY A REGULATED~~
5 ~~FINANCIAL INSTITUTION OR A REPRESENTATIVE OF A REGULATED FINANCIAL~~
6 ~~INSTITUTION.~~

7 ~~(C) A PERSON MAY NOT CAUSE TO BE FILED OR RECORDED UNDER THIS~~
8 ~~TITLE A RECORD THAT THE PERSON KNOWS OR REASONABLY SHOULD KNOW:~~

9 ~~(1) IS FALSE;~~

10 ~~(2) CONTAINS OR IS BASED ON A MATERIALLY FALSE, FICTITIOUS, OR~~
11 ~~FRAUDULENT STATEMENT OR REPRESENTATION;~~

12 ~~(3) IS NOT AUTHORIZED TO BE FILED OR RECORDED UNDER THIS~~
13 ~~TITLE; OR~~

14 ~~(4) IS NOT RELATED TO A VALID EXISTING OR POTENTIAL~~
15 ~~COMMERCIAL OR FINANCIAL TRANSACTION, AGRICULTURAL OR OTHER LIEN,~~
16 ~~SECURITY INTEREST, OR OTHER DEBT OR OBLIGATION.~~

17 ~~(D) A FILING OFFICE MAY REFUSE TO ACCEPT A RECORD FOR FILING OR~~
18 ~~RECORDING IF THE FILING OFFICE HAS REASON TO BELIEVE THE RECORD IS IN~~
19 ~~VIOLATION OF SUBSECTION (C) OF THIS SECTION.~~

20 ~~(E) (1) A PERSON IDENTIFIED AS A DEBTOR IN A FILED RECORD THAT~~
21 ~~THE PERSON BELIEVES WAS CAUSED TO BE COMMUNICATED TO THE FILING OFFICE~~
22 ~~IN VIOLATION OF SUBSECTION (C) OF THIS SECTION MAY FILE WITH THE FILING~~
23 ~~OFFICE A REQUEST TO TERMINATE THE RECORD.~~

24 ~~(2) THE REQUEST SHALL BE ACCOMPANIED BY AN AFFIDAVIT~~
25 ~~STATING THE BASIS FOR THE PERSON'S BELIEF THAT THE RECORD WAS~~
26 ~~COMMUNICATED TO THE FILING OFFICE IN VIOLATION OF SUBSECTION (C) OF THIS~~
27 ~~SECTION.~~

28 ~~(3) THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION~~
29 ~~SHALL ADOPT BY REGULATION AND MAKE AVAILABLE A REQUEST FORM AND~~
30 ~~AFFIDAVIT FOR USE UNDER THIS SECTION.~~

31 ~~(F) ON A FILING OFFICE'S REFUSAL TO ACCEPT A RECORD UNDER~~
32 ~~SUBSECTION (D) OF THIS SECTION OR ON RECEIPT OF A REQUEST FILED UNDER~~
33 ~~SUBSECTION (E) OF THIS SECTION, THE FILING OFFICE SHALL SEND TO THE~~

~~1 SECURED PARTY OF RECORD AND TO THE PERSON THAT FILED OR RECORDED THE
2 RECORD, IF THE PERSON'S IDENTITY AND ADDRESS ARE KNOWN TO THE FILING
3 OFFICE, A REQUEST TO PROVIDE, WITHIN 30 DAYS, ADDITIONAL INFORMATION
4 SUPPORTING:~~

~~5 (1) THE VALIDITY OF THE RECORD; OR~~

~~6 (2) THAT THE RECORD WAS FILED OR RECORDED BY A REGULATED
7 FINANCIAL INSTITUTION OR A REPRESENTATIVE OF A REGULATED FINANCIAL
8 INSTITUTION.~~

~~9 (G) AFTER EXPIRATION OF THE 30-DAY PERIOD UNDER SUBSECTION (F) OF
10 THIS SECTION, THE FILING OFFICE MAY TERMINATE THE RECORD IF, BASED ON THE
11 DOCUMENTATION PROVIDED, THERE IS A REASONABLE BASIS FOR CONCLUDING
12 THAT THE RECORD IS IN VIOLATION OF SUBSECTION (C) OF THIS SECTION.~~

~~13 (H) A FILING OFFICE MAY NOT:~~

~~14 (1) CHARGE A FEE TO FILE A REQUEST UNDER THIS SECTION; OR~~

~~15 (2) REFUND ANY FEE PAID FOR FILING A RECORD TERMINATED
16 UNDER THIS SECTION.~~

~~17 (I) A FILING OFFICE SHALL PROMPTLY NOTIFY THE PARTIES NAMED IN A
18 FILED RECORD AND THE PERSON THAT COMMUNICATED THE RECORD TO THE
19 FILING OFFICE, AT THE ADDRESSES KNOWN TO THE FILING OFFICE, OF ITS DECISION
20 TO TERMINATE THE RECORD OR TO DENY THE REQUEST TO TERMINATE THE
21 RECORD.~~

~~22 (J) (1) THE SOLE REMEDY OF A PARTY AGGRIEVED BY A DECISION OF A
23 FILING OFFICE SHALL BE TO FILE A PETITION IN THE CIRCUIT COURT FOR THE
24 COUNTY WHERE ANY AFFECTED PROPERTY IS LOCATED SEEKING A DETERMINATION
25 OF THE VALIDITY OF THE FILED RECORD.~~

~~26 (2) (I) THE PARTIES TO A PROCEEDING UNDER THIS SUBSECTION
27 SHALL INCLUDE THE PARTIES NAMED IN THE FILED RECORD.~~

~~28 (II) THE FILING OFFICE MAY NOT BE JOINED AS A PARTY TO A
29 PROCEEDING UNDER THIS SUBSECTION.~~

~~30 (3) IF THE COURT DETERMINES THAT A FILED RECORD TERMINATED
31 UNDER THIS SECTION SHOULD BE REINSTATED OR ACCEPTED OR THAT A RECORD
32 ACCEPTED FOR FILING SHOULD BE TERMINATED, THE PREVAILING PARTY SHALL
33 PROVIDE A COPY OF THE COURT ORDER TO THE FILING OFFICE.~~

~~(K) (1) ON RECEIPT OF A COURT ORDER REINSTATING A TERMINATED RECORD, THE FILING OFFICE SHALL REFILE THE RECORD ALONG WITH A NOTICE INDICATING THAT THE RECORD WAS REFILED IN ACCORDANCE WITH A COURT ORDER AND THE ORIGINAL FILING DATE OF THE RECORD.~~

~~(2) ON RECEIPT OF A COURT ORDER REQUIRING A FILED RECORD TO BE TERMINATED, THE FILING OFFICE SHALL TERMINATE THE RECORD AND FILE A NOTICE INDICATING THAT THE FILED RECORD WAS TERMINATED IN ACCORDANCE WITH A COURT ORDER.~~

(A) (1) IN THIS SECTION, "FILING OFFICE" MEANS AN OFFICE DESCRIBED IN § 9-501(A).

(2) "FILING OFFICE" INCLUDES THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION.

(B) THIS SECTION DOES NOT APPLY TO A FINANCING STATEMENT THAT IS A MORTGAGE OR DEED OF TRUST.

(C) A PERSON MAY NOT CAUSE TO BE FILED OR RECORDED UNDER THIS TITLE A FINANCING STATEMENT THAT THE PERSON KNOWS IS:

(1) FALSE;

(2) NOT AUTHORIZED TO BE FILED OR RECORDED UNDER THIS TITLE;
OR

(3) NOT RELATED TO A VALID EXISTING OR POTENTIAL COMMERCIAL OR FINANCIAL TRANSACTION.

(D) (1) IF A FILING OFFICE RECEIVES FOR FILING A FINANCING STATEMENT THAT THE FILING OFFICE HAS REASON TO BELIEVE IS BEING FILED BY A PERSON IN VIOLATION OF SUBSECTION (C), THE FILING OFFICE SHALL:

(A) ACCEPT FOR FILING THE FINANCING STATEMENT IF IT OTHERWISE MEETS ALL FILING REQUIREMENTS; AND

(B) SEND A NOTICE TO THE PERSONS SPECIFIED IN PARAGRAPH (2) THAT:

(1) IDENTIFIES THE PERSONS NAMED IN THE FINANCING STATEMENT;

1 (II) INDICATES THE DATE OF FILING AND FILING NUMBER
2 OF THE FINANCING STATEMENT;

3 (III) STATES THE PROHIBITION UNDER SUBSECTION (C);

4 (IV) STATES THAT THE FILING OFFICE HAS REASON TO
5 BELIEVE THAT THE FINANCING STATEMENT HAS BEEN FILED IN VIOLATION OF
6 SUBSECTION (C) AND DESCRIBES THE FACTUAL BASIS FOR THAT BELIEF; AND

7 (V) ADVISES THAT THE FINANCING STATEMENT MAY BE
8 TERMINATED BY THE FILING OFFICE UNLESS, WITHIN 45 DAYS AFTER THE NOTICE
9 IS SENT BY THE FILING OFFICE, A PERSON WHO RECEIVES THE NOTICE SENT BY THE
10 FILING OFFICE UNDER PARAGRAPH (2) SUBMITS TO THE FILING OFFICE AN
11 AFFIDAVIT THAT STATES THE PERSON'S BELIEF THAT THE FINANCING STATEMENT
12 DOES NOT VIOLATE SUBSECTION (C) AND PROVIDES THE FACTUAL BASIS FOR THAT
13 BELIEF.

14 (2) THE NOTICE REQUIRED UNDER THIS SUBSECTION SHALL BE SENT
15 BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND BY FIRST-CLASS MAIL, TO:

16 (A) THE PERSON IDENTIFIED AS THE SECURED PARTY, AT THE
17 ADDRESS PROVIDED FOR THE PERSON IN THE FINANCING STATEMENT;

18 (B) THE PERSON IDENTIFIED AS THE DEBTOR, AT THE ADDRESS
19 PROVIDED FOR THE PERSON IN THE FINANCING STATEMENT; AND

20 (C) IF DIFFERENT FROM THE PERSON IDENTIFIED AS THE
21 SECURED PARTY, THE PERSON WHO SUBMITTED THE FINANCING STATEMENT FOR
22 FILING, PROVIDED THAT THE PERSON'S IDENTITY AND ADDRESS ARE KNOWN TO THE
23 FILING OFFICE.

24 (E) (1) A PERSON IDENTIFIED AS A DEBTOR IN A FINANCING STATEMENT
25 FILED WITH THE FILING OFFICE WHO BELIEVES THAT THE FINANCING STATEMENT
26 WAS FILED IN VIOLATION OF SUBSECTION (C) MAY SUBMIT TO THE FILING OFFICE
27 AN AFFIDAVIT STATING THE FACTUAL BASIS FOR THE PERSON'S BELIEF.

28 (2) IF THE FILING OFFICE RECEIVES AN AFFIDAVIT FROM A PERSON
29 UNDER PARAGRAPH (1) AND HAS REASON TO BELIEVE THAT THE FINANCING
30 STATEMENT REFERENCED IN THE AFFIDAVIT WAS FILED IN VIOLATION OF
31 SUBSECTION (C), THE FILING OFFICE SHALL SEND THE NOTICE REQUIRED UNDER
32 SUBSECTION (D).

1 **(F) (1) THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION**
2 **SHALL ADOPT BY REGULATION AND MAKE AVAILABLE A FORM OF AFFIDAVIT THAT**
3 **SHALL BE USED FOR THE PURPOSES DESCRIBED IN SUBSECTIONS (D) AND (E).**

4 **(2) THE FORM SHALL REQUIRE THAT THE AFFIDAVIT BE SWORN**
5 **UNDER THE PENALTIES OF PERJURY.**

6 **(G) (1) A FILING OFFICE MAY TERMINATE A FINANCING STATEMENT**
7 **AFTER THE EXPIRATION OF THE 45-DAY PERIOD SPECIFIED IN THE NOTICE**
8 **REQUIRED UNDER SUBSECTION (D) IF THE FILING OFFICE:**

9 **(A) DOES NOT RECEIVE FROM A PERSON WHO RECEIVED THE**
10 **NOTICE SENT BY THE FILING OFFICE UNDER SUBSECTION (D) AN AFFIDAVIT THAT**
11 **STATES THE PERSON'S BELIEF THAT THE FINANCING STATEMENT DOES NOT**
12 **VIOLATE SUBSECTION (C) AND PROVIDES THE FACTUAL BASIS FOR THAT BELIEF;**
13 **AND**

14 **(B) REASONABLY BELIEVES THAT THE FINANCING STATEMENT**
15 **WAS FILED IN VIOLATION OF SUBSECTION (C).**

16 **(2) A FILING OFFICE THAT TERMINATES A FINANCING STATEMENT**
17 **UNDER THIS SUBSECTION SHALL PROMPTLY SEND NOTICE OF THE TERMINATION IN**
18 **THE SAME MANNER AND TO THE SAME PERSONS REQUIRED FOR THE NOTICE SENT**
19 **UNDER SUBSECTION (D)(2).**

20 **(H) (1) IF A FILING OFFICE RECEIVES AN AFFIDAVIT IN RESPONSE TO THE**
21 **NOTICE SENT BY THE FILING OFFICE UNDER SUBSECTION (D), THE FILING OFFICE**
22 **SHALL REVIEW THE AFFIDAVIT TO CONSIDER WHETHER THE FINANCING**
23 **STATEMENT WAS FILED IN VIOLATION OF SUBSECTION (C).**

24 **(2) IF, AFTER REVIEWING THE AFFIDAVIT, A FILING OFFICE**
25 **REASONABLY BELIEVES THAT A FINANCING STATEMENT WAS FILED IN VIOLATION**
26 **OF SUBSECTION (C), THE FILING OFFICE SHALL SEND TO THE PERSONS SPECIFIED**
27 **IN PARAGRAPH (3) A FINAL NOTICE THAT:**

28 **(A) INCLUDES A COPY OF THE NOTICE SENT BY THE FILING**
29 **OFFICE UNDER SUBSECTION (D);**

30 **(B) STATES THAT THE FILING OFFICE REASONABLY BELIEVES**
31 **THAT THE FINANCING STATEMENT HAS BEEN FILED IN VIOLATION OF SUBSECTION**
32 **(C); AND**

33 **(C) STATES THAT THE FILING OFFICE MAY TERMINATE THE**
34 **FINANCING STATEMENT 45 DAYS AFTER THE FINAL NOTICE IS SENT BY THE FILING**

1 OFFICE UNLESS A PERSON IDENTIFIED IN THE FINANCING STATEMENT FILES A
2 PETITION FOR JUDICIAL DETERMINATION OF THE VALIDITY OF THE FINANCING
3 STATEMENT UNDER SUBSECTION (I).

4 (3) THE FINAL NOTICE SHALL BE SENT IN THE SAME MANNER
5 REQUIRED FOR THE NOTICE SENT UNDER SUBSECTION (D)(2) TO:

6 (A) THE SAME PERSONS REQUIRED FOR THE NOTICE SENT
7 UNDER SUBSECTION (D)(2); AND

8 (B) ANY OTHER PERSON WHO RESPONDED IN WRITING TO THE
9 NOTICE SENT UNDER SUBSECTION (D).

10 (I) (1) A PERSON WHO IS IDENTIFIED IN A FINANCING STATEMENT AND
11 DISAGREES WITH A DETERMINATION MADE BY A FILING OFFICE UNDER SUBSECTION
12 (H)(2) MAY FILE A PETITION IN THE CIRCUIT COURT FOR THE COUNTY WHERE THE
13 DEBTOR IS LOCATED OR, IF THE DEBTOR IS NOT LOCATED IN MARYLAND, WHERE
14 ANY AFFECTED PROPERTY IS LOCATED, SEEKING A DETERMINATION OF THE
15 VALIDITY OF THE FINANCING STATEMENT.

16 (2) A PETITION FILED UNDER THIS SUBSECTION SHALL BE FILED
17 WITHIN THE 45-DAY PERIOD DESCRIBED IN THE FINAL NOTICE REQUIRED UNDER
18 SUBSECTION (H).

19 (3) (A) THE PARTIES TO A PROCEEDING UNDER THIS SUBSECTION
20 SHALL INCLUDE ALL PERSONS NAMED IN THE FINANCING STATEMENT.

21 (B) A FILING OFFICE MAY NOT BE JOINED AS A PARTY TO A
22 PROCEEDING UNDER THIS SUBSECTION.

23 (4) (A) SERVICE OF PROCESS OF A PROCEEDING UNDER THIS
24 SUBSECTION MAY BE SENT BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO
25 THE LAST KNOWN ADDRESSES OF THE PARTIES TO BE SERVED.

26 (B) A COPY OF A PETITION FILED UNDER THIS SUBSECTION
27 SHALL BE MAILED TO THE FILING OFFICE AFTER THE PETITION HAS BEEN FILED
28 AND WITHIN THE 45-DAY PERIOD DESCRIBED IN THE FINAL NOTICE REQUIRED
29 UNDER SUBSECTION (H).

30 (5) IF THE FILING OFFICE DOES NOT RECEIVE A COPY OF THE
31 PETITION WITHIN THE 45-DAY PERIOD DESCRIBED IN THE FINAL NOTICE REQUIRED
32 UNDER SUBSECTION (H), THE FILING OFFICE MAY TERMINATE THE FINANCING
33 STATEMENT.

1 **(6) (A) IF THE COURT DETERMINES THAT THE FINANCING**
2 **STATEMENT WAS FILED IN VIOLATION OF SUBSECTION (C):**

3 **(I) THE COURT SHALL ORDER THAT THE FILED**
4 **FINANCING STATEMENT BE TERMINATED; AND**

5 **(II) THE PREVAILING PARTY SHALL PROVIDE A COPY OF**
6 **THE ORDER TO THE FILING OFFICE.**

7 **(B) ON RECEIPT OF A COURT ORDER REQUIRING TERMINATION**
8 **OF A FILED FINANCING STATEMENT, THE FILING OFFICE SHALL:**

9 **(I) TERMINATE THE FINANCING STATEMENT; AND**

10 **(II) FILE A RECORD INDICATING THAT THE FINANCING**
11 **STATEMENT WAS TERMINATED IN ACCORDANCE WITH A COURT ORDER.**

12 **(7) THE COURT MAY AWARD TO THE PREVAILING PARTY:**

13 **(A) DAMAGES SUSTAINED BY THE PREVAILING PARTY; AND**

14 **(B) REASONABLE ATTORNEY'S FEES AND COSTS.**

15 **(J) A FILING OFFICE MAY NOT:**

16 **(1) CHARGE A FEE TO CARRY OUT ITS OBLIGATIONS UNDER THIS**
17 **SECTION, INCLUDING FOR THE SENDING OF ANY NOTICES REQUIRED UNDER THIS**
18 **SECTION; OR**

19 **(2) REFUND ANY FEE PAID FOR FILING A FINANCING STATEMENT**
20 **TERMINATED UNDER THIS SECTION.**

21 **(K) THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION MAY**
22 **ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2015.