

SENATE BILL 789

I4

7lr2639
CF HB 412

By: **Senator Smith**

Introduced and read first time: February 3, 2017

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law – Uniform Commercial Code – Repeal of Title 6**

3 FOR the purpose of repealing Title 6 of the Maryland Uniform Commercial Code governing
4 bulk transfers; making certain conforming changes; providing that the rights and
5 obligations that arose under Title 6 of the Maryland Uniform Commercial Code
6 before its repeal by this Act remain valid and may be enforced as though Title 6 had
7 not been repealed; and generally relating to the repeal of Title 6 of the Maryland
8 Uniform Commercial Code.

9 BY repealing

10 Article – Commercial Law
11 Section 6–101 through 6–111 and the title “Title 6. Bulk Transfers”
12 Annotated Code of Maryland
13 (2013 Replacement Volume and 2016 Supplement)

14 BY repealing and reenacting, with amendments,

15 Article – Commercial Law
16 Section 1–301(c) and 2–403(4)
17 Annotated Code of Maryland
18 (2013 Replacement Volume and 2016 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That Section(s) 6–101 through 6–111 and the title “Title 6. Bulk Transfers” of
21 Article – Commercial Law of the Annotated Code of Maryland be repealed.

22 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
23 as follows:

24 **Article – Commercial Law**

25 1–301.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) If one of the following provisions of the Maryland Uniform Commercial Code
2 specifies the applicable law, that provision governs and a contrary agreement is effective
3 only to the extent permitted by the law (including the conflict of laws rules) so specified:

4 (1) Section 2-402;

5 (2) Sections 2A-105 and 2A-106;

6 (3) Section 4-102;

7 (4) Section 4A-507;

8 (5) Section 5-116;

9 [(6) Section 6-103;]

10 [(7)] **(6)** Section 8-110; or

11 [(8)] **(7)** Sections 9-301 through 9-307.

12 2-403.

13 (4) The rights of other purchasers of goods and of lien creditors are governed by
14 the title on secured transactions (Title 9)[, bulk transfers (Title 6)] and documents of title
15 (Title 7).

16 SECTION 3. AND BE IT FURTHER ENACTED, That the rights and obligations
17 that arose under Title 6 of the Maryland Uniform Commercial Code before its repeal by
18 Section 1 of this Act remain valid and may be enforced as though Title 6 had not been
19 repealed.

20 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2017.