

SENATE BILL 102

Unofficial Copy  
14

2004 Regular Session  
4r0910  
CF 4r0907

---

By: **Senators Mooney and Kelley**  
Introduced and read first time: January 19, 2004  
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  
4 relating to bulk transfers; making a certain conforming change to Title 2 of the  
5 Maryland Uniform Commercial Code; providing that the rights and obligations  
6 that arose under Title 6 of the Maryland Uniform Commercial Code before its  
7 repeal by this Act remain valid and may be enforced as though Title 6 had not  
8 been repealed; and generally relating to the repeal of Title 6 of the Maryland  
9 Uniform Commercial Code.

10 BY repealing

11 Article - Commercial Law  
12 Section 6-101 through 6-111, inclusive, and the title "Title 6. Bulk Transfers"  
13 Annotated Code of Maryland  
14 (2002 Replacement Volume and 2003 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article - Commercial Law  
17 Section 1-105(2) and 2-403(4)  
18 Annotated Code of Maryland  
19 (2002 Replacement Volume and 2003 Supplement)

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23 repealed.

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

1

**Article - Commercial Law**

2 1-105.

3 (2) Where one of the following provisions of Titles 1 through 10 of this article  
4 specifies the applicable law, that provision governs and a contrary agreement is  
5 effective only to the extent permitted by the law (including the conflict of laws rules)  
6 so specified:

7 Rights of creditors against sold goods. § 2-402.

8 Applicability of the title on leases. §§ 2A-105 and 2A-106.

9 Applicability of the title on bank deposits and collections. § 4-102.

10 Governing law in the title on funds transfers. § 4A-507.

11 Letters of credit. § 5-116.

12 [Bulk transfers subject to the title on bulk transfers. § 6-103.]

13 Applicability of the title on investment securities. § 8-110.

14 Law governing perfection, the effect of perfection or nonperfection, and the  
15 priority of security interests. §§ 9-301 through 9-307.

16 2-403.

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

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

24 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2004.