

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Increase Consumer Protections

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 11 MRSA §9-1516, sub-§(2), ¶¶(f) and (g), as enacted by PL 1999, c. 699, Pt. A, §2 and affected by §4, are amended to read:

(f). In the case of an assignment reflected in an initial financing statement under section 9-1514, subsection (1) or an amendment filed under section 9-1514, subsection (2), the record does not provide a name and mailing address for the assignee; or

(g). In the case of a continuation statement, the record is not filed within the 6-month period prescribed by section 9-1515, subsection (4);

Sec. 2. 11 MRSA §9-1516, sub-§(2), ¶¶(h) and (i) are enacted to read:

(h). The record is fraudulent or appears to be fraudulent; or

(i). The record pertains to matter outside of the scope of this Title.

Sec. 3. 11 MRSA §9-1520, sub-§(5) is enacted to read:

(5). A refusal to file a record by a filing office under this section is a final agency action for purposes of Title 5, chapter 375, subchapter 7.

SUMMARY

This bill amends the Uniform Commercial Code. Under the bill, a filing office may refuse to file a record on the basis that the record is fraudulent or appears to be fraudulent and that the record pertains to a matter outside of the scope of the Uniform Commercial Code. This bill also clarifies that a filing office's refusal to file a record is a final agency action subject to judicial review under the Maine Administrative Procedure Act.