



NASS Resolution Reaffirming Support of the NASS/IACA Joint Task Force Report and Recommendations on "Bogus" UCC Documents

Adopted on July 20, 2010

WHEREAS, in 2004 The National Association of Secretaries of State (NASS) and the International Association of Commercial Administrators (IACA) formed a Joint Task Force to investigate the problems of so-called 'bogus' UCC filings;

WHEREAS, that Task Force issued a report outlining the problems, analyzing the factors involved in "Harassment" and "Strawman" filings and recommended statutory solutions to the problems of the filing of these unauthorized financing statements and other records;

WHEREAS NASS approved and adopted the [Final Report and Recommendations for the National Association of Secretaries of State \(NASS\) and International Association of Commercial Administrators \(IACA\) Joint Task Force on "Bogus" UCC Documents](#) in July 2006;

WHEREAS, the National Conference of Commissioners on Uniform State Laws (NCCUSL) and the American Law Institute (ALI) formed a Joint Review Committee on UCC Article 9 and are drafting new language on "bogus filings";

WHEREAS, some language being considered by the NCCUSL/ALI Joint Review Committee may be overly narrow and ineffective in removing "bogus" filings from the public record;

THEREFORE BE IT RESOLVED that NASS urges the NCCUSL/ALI Joint Review Committee on UCC Article 9 to consider instead the NASS/IACA Final Report and Recommendations to address the issue of 'bogus filings, and

BE IT FURTHER RESOLVED that NASS members urge states to consider the language recommended in the NASS/IACA Joint Task Force report when reviewing any proposed UCC amendments.

Adopted this 20th day of July, 2010
in Providence, Rhode Island

EXPIRES: Summer 2015