

PROPOSED AMENDMENT

SB 468 # 1

DIGEST

Ownership interests in certain business organizations. Adds language to incorporate into Indiana's Uniform Commercial Code (UCC) the Amendments to Uniform Commercial Code Article 9 (2018), as approved by the American Law Institute and the National Conference of Commissioners of Uniform State Laws. Provides, through the incorporation of these amendments, that the provisions in the UCC providing that restrictions on the transfer of property pledged as collateral are ineffective do not apply in the case of a security interest in an ownership interest in a general partnership, limited partnership, or limited liability company.

- 1 Page 88, line 1, reset in roman "(i)".
- 2 Page 88, line 1, delete "(j)," and insert "**and (l)**".
- 3 Page 88, line 10, delete "(j)," and insert "**(l)**".
- 4 Page 88, line 25, delete "(j)," and insert "**(l)**".
- 5 Page 88, line 33, strike "subsection" and insert "**subsections**".
- 6 Page 88, line 33, after "(e)" insert "**and (k)**".
- 7 Page 89, line 8, after "in" insert "**subsection (k) and**".
- 8 Page 89, line 25, delete "(j)," and insert "**(l)**".
- 9 Page 89, between lines 32 and 33, begin a new paragraph and insert:
- 10 "**(j) This section prevails over any inconsistent provision in**
- 11 **statute, administrative rule, or regulation.**
- 12 **(k) Subsections (d), (f), and (j) do not apply to a security interest**
- 13 **in an ownership interest in a general partnership, limited**
- 14 **partnership, or limited liability company."**
- 15 Page 89, line 33, delete "(j)" and insert "**(l)**".
- 16 Page 89, line 38, strike "subsection (b)," and insert "**subsections (b)**
- 17 **and (f)**".
- 18 Page 90, line 17, delete "A" and insert "**Except as provided in**
- 19 **subsection (f), a**".
- 20 Page 91, between lines 20 and 21, begin a new paragraph and insert:
- 21 "**(f) This section does not apply to a security interest in an**
- 22 **ownership interest in a general partnership, limited partnership,**
- 23 **or limited liability company."**

(Reference is to SB 468 as introduced.)