

G.S. 150B-21.3A Report for 18 NCAC 05, Uniform Commercial Code Division

Agency - Department of the Secretary of State

Comment Period - April 2, 2024 - June 3, 2024

Date Submitted to APO - September 26, 2024

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 05B – UNIFORM COMMERCIAL CODE SECTION	SECTION .0100 – GENERAL PROVISIONS	18 NCAC 05B .0102	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0103	PLACE OF FILING, TIME OF FILING, AND METHODS OF DELIVERY	Amended Eff. February 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0104	CONTENTS OF RECORDS SUBMITTED FOR FILING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0105	APPROVED FORMS	Amended Eff. October 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0106	PROCESSING FEES AND METHODS OF PAYMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0107	PUBLIC RECORDS SERVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 – ACCEPTANCE AND REFUSAL OF RECORDS	18 NCAC 05B .0108	FEES FOR PUBLIC RECORDS SERVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0201	ROLE OF FILING OFFICER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0202	GROUND FOR REFUSAL OF UCC DOCUMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0203	PROCEDURE UPON REFUSAL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0204	NOTIFICATION OF DEFECTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0205	REFUSAL ERRORS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 – UCC INFORMATION MANAGEMENT SYSTEM	18 NCAC 05B .0206	FILING OFFICER ERRORS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0207	NOTICE OF BANKRUPTCY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0301	POLICY STATEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0302	PRIMARY DATA ELEMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
18 NCAC 05B .0303		INITIAL FINANCING STATEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
18 NCAC 05B .0304		AMENDMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
18 NCAC 05B .0305	ASSIGNMENT OF POWERS OF SECURED PARTY OF RECORD	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
18 NCAC 05B .0306	CONTINUATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		

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		18 NCAC 05B .0307	TERMINATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0308	CORRECTION STATEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0309	PROCEDURE UPON LAPSE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0310	IACA STANDARD ADOPTED	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0311	IMPLEMENTATION GUIDE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0312	DIRECT ON-LINE DATA ENTRY PROCEDURES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 – FILING AND DATA ENTRY PROCEDURES	18 NCAC 05B .0401	POLICY STATEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0403	DOCUMENT FILING, REVIEW, AND ACKNOWLEDGMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0404	ENTRY OF INDIVIDUAL AND ORGANIZATIONAL NAMES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0405	FILING DATES AND LAPSE CALCULATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0406	FILING ERRORS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0407	DESIGNATED NAME FIELDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0408	VERIFICATION OF DATA ENTRY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0409	CREATION OF NEW RECORDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0410	ARCHIVAL DOCUMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 – SEARCH REQUESTS AND REPORTS	18 NCAC 05B .0501	GENERAL REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0502	SEARCH REQUESTS AND REPORTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0503	RULES APPLIED TO SEARCH REQUESTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0504	OPTIONAL INFORMATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		18 NCAC 05B .0505	SEARCH RESPONSES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0600 – NOTICE OF FEDERAL TAX LIEN	18 NCAC 05B .0601	POLICY STATEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0602	FILING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		18 NCAC 05B .0603	REQUESTS FOR INFORMATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt