

**70A-9a-804 Effectiveness of action taken before effective date.**

- (1) The filing of a financing statement before Laws of Utah 2013, Chapter 225 takes effect is effective to perfect a security interest to the extent the filing would satisfy the applicable requirements for perfection under this chapter as amended by Laws of Utah 2013, Chapter 225.
- (2) Laws of Utah 2013, Chapter 225 does not render ineffective an effective financing statement that, before Laws of Utah 2013, Chapter 225 takes effect, is filed and satisfies the applicable requirements for perfection under the law of the jurisdiction governing perfection as provided in this chapter as it existed before amendment. However, except as otherwise provided in Subsections (3) and (4) and Section 70A-9a-805, the financing statement ceases to be effective:
  - (a) if the financing statement is filed in this state, at the time the financing statement would have ceased to be effective had Laws of Utah 2013, Chapter 225 not taken effect; or
  - (b) if the financing statement is filed in another jurisdiction, at the earlier of:
    - (i) the time the financing statement would have ceased to be effective under the law of that jurisdiction; or
    - (ii) June 30, 2018.
- (3) The filing of a continuation statement after Laws of Utah 2013, Chapter 225 takes effect does not continue the effectiveness of a financing statement filed before Laws of Utah 2013, Chapter 225 takes effect. However, upon the timely filing of a continuation statement after Laws of Utah 2013, Chapter 225 takes effect and in accordance with the law of the jurisdiction governing perfection as provided in this chapter as amended by Laws of Utah 2013, Chapter 225, the effectiveness of a financing statement filed in the same office in that jurisdiction before Laws of Utah 2013, Chapter 225 takes effect continues for the period provided by the law of that jurisdiction.
- (4) Subsection (2)(b)(ii) applies to a financing statement that, before Laws of Utah 2013, Chapter 225 takes effect, is filed against a transmitting utility and satisfies the applicable requirements for perfection under the law of the jurisdiction governing perfection as provided in this chapter as it existed before amendment, only to the extent that this chapter as amended by Laws of Utah 2013, Chapter 225 provides that the law of a jurisdiction other than the jurisdiction in which the financing statement is filed governs perfection of a security interest in collateral covered by the financing statement.
- (5) A financing statement that includes a financing statement filed before Laws of Utah 2013, Chapter 225 takes effect and a continuation statement filed after Laws of Utah 2013, Chapter 225 takes effect is effective only to the extent that it satisfies the requirements of Part 5, Filing, as amended by Laws of Utah 2013, Chapter 225 for an initial financing statement. A financing statement that indicates that the debtor is a decedent's estate indicates that the collateral is being administered by a personal representative within the meaning of Subsection 70A-9a-503(1)(b) as amended by Laws of Utah 2013, Chapter 225. A financing statement that indicates that the debtor is a trust or is a trustee acting with respect to property held in trust indicates that the collateral is held in a trust within the meaning of Subsection 70A-9a-503(1)(c) as amended by Laws of Utah 2013, Chapter 225.

Revisor instructions Chapter 225, 2013 General Session  
Enacted by Chapter 225, 2013 General Session