

Kansas Administrative Regulations

Secretary of State

Article 17.—Uniform Commercial Code

7-17-9. Defects in filing.

(a) The following reasons shall not constitute grounds for the filing officer to refuse a record:

(1) The UCC record contains or appears to contain a misspelling or other erroneous information.

(2) The UCC record appears to identify a debtor incorrectly.

(3) The UCC record appears to identify a secured party or a secured party of record incorrectly.

(4) The UCC record contains additional or extraneous information of any kind.

(5) The UCC record contains less than the information required by Kansas law except for information allowing rejection pursuant to L. 2000, Ch. 142, Sec. 87(b), to be codified as K.S.A. 84-9-516(b) and amendments thereto.

(6) The UCC record incorrectly identifies collateral, contains an illegible or unintelligible description of collateral, or appears to contain no such description.

(b) If the record contains more than one debtor name or address and any names or addresses are missing or illegible, the legible name and address pairings shall be indexed by the filing officer. A notice shall be provided by the filing officer to the remitter containing the following information:

(1) The file number of the record;

(2) identification of the debtor name that was indexed; and

(3) a statement that debtors with illegible or missing names or addresses were not indexed.

(c) If the record contains more than one secured party or assignee name or address and any names or addresses are missing or illegible, the legible name and address pairings shall be indexed by the filing officer. A notice containing the following information shall be provided by the filing officer to the remitter:

(1) The file number of the record;
(2) the secured party name that was indexed; and
(3) a statement that the secured parties with illegible or missing names or addresses were not indexed.

(d) If an amendment requests more actions than can be accommodated on the form, the information shall be filed and indexed by the filing officer in accordance with the first requested action. All other actions requested shall be disregarded by the filing officer.

(e) If, within 30 days of the date that the record is rejected, a secured party or a remitter demonstrates to the filing officer that the UCC record that was refused for filing should not have been refused, the UCC record shall be filed by the filing officer with a filing date and time reflecting the date and time the document would have received, if it had been accepted when originally tendered for filing. A filing officer statement shall also be filed by the filing officer indicating that the effective date and time of filing are the date and time the UCC record was originally tendered for filing, and setting forth the date and time. If the filing officer's procedures do not include recording the filing time, the filing time shall be deemed to be 5:00 p.m.

(Authorized by L. 2000, Ch. 142, §97; implementing L. 2000, Ch. 142, §87; effective Oct. 12, 2001.)

***** Authenticated Kansas Administrative Regulation *****