

House Bill 554

By: Representatives Weldon of the 3rd, Holcomb of the 81st, Welch of the 110th, Willard of the 51st, Strickland of the 111th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 11 of the Official Code of Georgia Annotated, relating to the commercial
2 code, so as to repeal Article 6 of the Uniform Commercial Code, relating to bulk transfers;
3 to provide for conforming amendments to other provisions of the title; to provide for related
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Title 11 of the Official Code of Georgia Annotated, relating to the commercial code, is
8 amended by repealing and reserving Article 6, relating to bulk transfers, in its entirety.

9 style="text-align:center">**SECTION 2.**

10 Said title is further amended in Code Section 11-1-105, relating to territorial application of
11 the title and the parties' power to choose applicable law, by revising paragraph (2) as follows:

12 "(2) Where one of the following provisions of this title specifies the applicable law, that
13 provision governs and a contrary agreement is effective only to the extent permitted by
14 the law (including the conflict of laws rules) so specified:

15 Rights of creditors against sold goods. Code Section 11-2-402.

16 Applicability of the article of this title on leases (Article 2A of this title). Code Sections
17 11-2A-105 and 11-2A-106.

18 Applicability of the article of this title on bank deposits and collections (Article 4 of this
19 title). Code Section 11-4-102.

20 ~~Bulk transfers subject to the article of this title on bulk transfers (Article 6 of this title).~~
21 ~~Code Section 11-6-102.~~

22 Applicability of the article of this title on investment securities (Article 8 of this title).
23 Code Section 11-8-110.

24 Law governing perfection, the effect of perfection or nonperfection, and the priority of
25 security interests and agricultural liens. Code Sections 11-9-301 through 11-9-307.

26 Governing law in the article on funds transfers (Article 4A of this title). Code Section
27 11-4A-507."

28 **SECTION 3.**

29 Said title is further amended in Code Section 11-2-403, relating to the power to transfer,
30 good faith purchase of goods, and "entrusting", by revising paragraph (4) as follows:

31 "(4) The rights of other purchasers of goods and of lien creditors are governed by the
32 articles on secured transactions (Article 9 of this title), ~~bulk transfers (Article 6 of this title),~~
33 and documents of title (Article 7 of this title)."

34 **SECTION 4.**

35 Said title is further amended in Code Section 11-9-111, relating to applicability of bulk
36 transfer laws, by repealing and reserving said Code section in its entirety.

37 **SECTION 5.**

38 All laws and parts of laws in conflict with this Act are repealed.