

Table of Contents

Volume 2A

ARTICLE 1 GENERAL PROVISIONS	1
PART 1 GENERAL PROVISIONS	7
Sec. 5/1-101 Short Titles	7
Sec. 5/1-102 Scope of Article	8
Sec. 5/1-103 Construction of Uniform Commercial Code to Promote Its Purposes and Policies; Applicability of Supplemental Principles of Law.....	9
Sec. 5/1-104 Construction Against Implied Repeal	16
Sec. 5/1-104a Legislative Intent	16
Sec. 5/1-104b Agriculture Production Contract Code.....	17
Sec. 5/1-105 Severability	17
Sec. 5/1-106 Use of Singular and Plural; Gender.....	18
Sec. 5/1-107 Section Captions.....	18
Sec. 5/1-108 Relation to Electronic Signatures in Global and National Commerce Act .	19
Sec. 5/1-109 (Blank).....	20
PART 2 GENERAL DEFINITIONS AND PRINCIPLES OF INTERPRETATION	20
Sec. 5/1-201 General Definitions.....	20
Sec. 5/1-202 Notice; Knowledge.....	41
Sec. 5/1-203 Lease Distinguished from Security Interest.....	46
Sec. 5/1-204 Value	51
Sec. 5/1-205 Reasonable Time; Seasonableness	53
Sec. 5/1-206 Presumptions	54
Sec. 5/1-207 (Blank).....	54
Sec. 5/1-208 (Blank).....	54
Sec. 5/1-209 (Blank).....	54
PART 3 TERRITORIAL APPLICABILITY AND GENERAL RULES	54
Sec. 5/1-301 Territorial Applicability; Parties' Power to Choose Applicable Law.....	54
Sec. 5/1-302 Variation by Agreement.....	58
Sec. 5/1-303 Course of Performance, Course of Dealing, and Usage of Trade	60
Sec. 5/1-304 Obligation of Good Faith.....	66
Sec. 5/1-305 Remedies to be Liberally Administered	69
Sec. 5/1-306 Waiver or Renunciation of Claim or Right after Breach	71
Sec. 5/1-307 Prima Facie Evidence by Third-Party Documents	71
Sec. 5/1-308 Performance or Acceptance Under Reservation of Rights.....	72
Sec. 5/1-309 Option to Accelerate at Will	74
Sec. 5/1-310 Subordinated Obligations.....	76
ARTICLE 2 SALES	79

PART 1 SHORT TITLE, GENERAL CONSTRUCTION AND SUBJECT MATTER	89
§ 5/2-101 Short Title.....	89
§ 5/2-102 Scope—Certain Security and Other Transactions Excluded From This Article.....	89
§ 5/2-103 Definitions and Index of Definitions	95
§ 5/2-104 Definitions—“Merchant”—“Between Merchants”—“Financing Agency”	97
§ 5/2-105 Definitions: Transferability; “Goods”; “Future” Goods; “Lot”; “Commercial Unit”	100
§ 5/2-106 Definitions—“Contract”—“Agreement”—“Contract for Sale”—“Sale”—“Present Sale”—“Conforming” to Contract—“Termination”—“Cancellation” ..	102
§ 5/2-107 Goods to Be Severed From Realty—Recording.....	104
PART 2 FORM, FORMATION AND READJUSTMENT OF CONTRACT ..	107
§ 5/2-201 Formal Requirements—Statute of Frauds	107
§ 5/2-202 Final Written Expression—Parol or Extrinsic Evidence	114
§ 5/2-203 Seals Inoperative.....	119
§ 5/2-204 Formation in General.....	119
§ 5/2-205 Firm Offers	122
§ 5/2-206 Offer and Acceptance in Formation of Contract	123
§ 5/2-207 Additional Terms in Acceptance or Confirmation.....	126
§ 5/2-208 [Blank].....	135
§ 5/2-209 Modification, Rescission and Waiver	136
§ 5/2-210 Delegation of Performance—Assignment of Rights.....	139
PART 3 GENERAL OBLIGATION AND CONSTRUCTION OF CONTRACT	143
§ 5/2-301 General Obligations of Parties.....	143
§ 5/2-302 Unconscionable Contract or Clause	143
§ 5/2-303 Allocation or Division of Risks.....	147
§ 5/2-304 Price Payable in Money, Goods, Realty, or Otherwise.....	148
§ 5/2-305 Open Price Term	149
§ 5/2-306 Output, Requirements and Exclusive Dealings	152
§ 5/2-307 Delivery in Single Lot or Several Lots.....	155
§ 5/2-308 Absence of Specified Place for Delivery	156
§ 5/2-309 Absence of Specific Time Provisions—Notice of Termination.....	157
§ 5/2-310 Open Time for Payment or Running of Credit Authority to Ship Under Reservation.....	159
§ 5/2-311 Options and Cooperation Respecting Performance	161
§ 5/2-312 Warranty of Title and Against Infringement—Buyer’s Obligation Against Infringement	163
§ 5/2-313 Express Warranties by Affirmation, Promise, Description, Sample	165
§ 5/2-314 Implied Warranty—Merchantability—Usage of Trade	175
§ 5/2-315 Implied Warranty—Fitness for Particular Purpose	185
§ 5/2-316 Exclusion or Modification of Warranties.....	189
§ 5/2-317 Cumulation and Conflict of Warranties Express or Implied.....	197
§ 5/2-318 Third Party Beneficiaries of Warranties Express or Implied.....	199
§ 5/2-319 F.O.B. and F.A.S. Terms	207
§ 5/2-320 C.I.F. and C. & F. Terms.....	209

TABLE OF CONTENTS

§ 5/2-321	C.I.F. or C. & F.—“Net Landed Weights”—“Payment on Arrival”—Warranty of Condition on Arrival	213
§ 5/2-322	Delivery “Ex-ship”	215
§ 5/2-323	Form of Bill of Lading Required in Overseas Shipment—“Overseas”	216
§ 5/2-324	“No Arrival, No Sale” Term	218
§ 5/2-325	“Letter of Credit” Term—“Confirmed Credit”	219
§ 5/2-326	Sale on Approval and Sale or Return—Consignment Sales and Rights of Creditors	220
§ 5/2-327	Special Incidents of Sale on Approval and Sale or Return	224
§ 5/2-328	Sale by Auction	226
PART 4 TITLE, CREDITORS AND GOOD FAITH PURCHASERS		228
§ 5/2-401	Passing of Title—Reservation for Security—Limited Application of This Section	228
§ 5/2-402	Rights of Seller’s Creditors Against Sold Goods	232
§ 5/2-403	Power to Transfer—Good Faith Purchase of Goods—“Entrusting”	233
PART 5 PERFORMANCE		237
§ 5/2-501	Insurable Interest in Goods—Manner of Identification of Goods	237
§ 5/2-502	Buyer’s Right to Goods on Seller’s Insolvency	240
§ 5/2-503	Manner of Seller’s Tender of Delivery	241
§ 5/2-504	Shipment by Seller	245
§ 5/2-505	Seller’s Shipment Under Reservation	247
§ 5/2-506	Rights of Financing Agency	249
§ 5/2-507	Effect of Seller’s Tender—Delivery on Condition	251
§ 5/2-508	Cure by Seller of Improper Tender or Delivery—Replacement	252
§ 5/2-509	Risk of Loss in the Absence of Breach	254
§ 5/2-510	Effect of Breach on Risk of Loss	257
§ 5/2-511	Tender of Payment by Buyer—Payment by Check	258
§ 5/2-512	Payment by Buyer Before Inspection	260
§ 5/2-513	Buyer’s Right to Inspection of Goods	262
§ 5/2-514	When Documents Deliverable on Acceptance; When on Payment	265
§ 5/2-515	Preserving Evidence of Goods in Dispute	265
PART 6 BREACH, REPUDIATION AND EXCUSE		267
§ 5/2-601	Buyer’s Rights on Improper Delivery	267
§ 5/2-602	Manner and Effect of Rightful Rejection	269
§ 5/2-603	Merchant Buyer’s Duties as to Rightfully Rejected Goods	271
§ 5/2-604	Buyer’s Options as to Salvage of Rightfully Rejected Goods	273
§ 5/2-605	Waiver of Buyer’s Objections by Failure to Particularize	274
§ 5/2-606	What Constitutes Acceptance of Goods	275
§ 5/2-607	Effect of Acceptance—Notice of Breach—Burden of Establishing Breach After Acceptance—Notice of Claim or Litigation to Person Answerable Over	278
§ 5/2-608	Revocation of Acceptance in Whole or in Part	289
§ 5/2-609	Right to Adequate Assurance of Performance	293
§ 5/2-610	Anticipatory Repudiation	298
§ 5/2-611	Retraction of Anticipatory Repudiation	301
§ 5/2-612	“Installment Contract”—Breach	302
§ 5/2-613	Casualty to Identified Goods	305

UCC WITH ILLINOIS CODE COMMENTS

§ 5/2-614	Substituted Performance	307
§ 5/2-615	Excuse by Failure of Presupposed Conditions	309
§ 5/2-616	Procedure on Notice Claiming Excuse	313
PART 7 REMEDIES.....		314
§ 5/2-701	Remedies for Breach of Collateral Contracts Not Impaired	314
§ 5/2-702	Seller's Remedies on Discovery of Buyer's Insolvency	314
§ 5/2-703	Seller's Remedies in General.....	318
§ 5/2-704	Seller's Right to Identify Goods to the Contract Notwithstanding Breach or to Salvage Unfinished Goods.....	320
§ 5/2-705	Seller's Stoppage of Delivery in Transit or Otherwise	321
§ 5/2-706	Seller's Resale Including Contract for Resale.....	323
§ 5/2-707	"Person in the Position of a Seller".....	327
§ 5/2-708	Seller's Damages for Non-acceptance or Repudiation	328
§ 5/2-709	Action for the Price	330
§ 5/2-710	Seller's Incidental Damages.....	331
§ 5/2-711	Buyer's Remedies in General—Buyer's Security Interest in Rejected Goods .	332
§ 5/2-712	"Cover"—Buyer's Procurement of Substitute Goods.....	334
§ 5/2-713	Buyer's Damages for Non-delivery or Repudiation	336
§ 5/2-714	Buyer's Damages for Breach in Regard to Accepted Goods.....	337
§ 5/2-715	Buyer's Incidental and Consequential Damages.....	340
§ 5/2-716	Buyer's Right to Specific Performance or Replevin.....	344
§ 5/2-717	Deduction of Damages From the Price.....	346
§ 5/2-718	Liquidation or Limitation of Damages—Deposits	347
§ 5/2-719	Contractual Modification or Limitation of Remedy.....	349
§ 5/2-720	Effect of "Cancellation" or "Rescission" on Claims for Antecedent Breach....	354
§ 5/2-721	Remedies for Fraud	354
§ 5/2-722	Who Can Sue Third Party for Injury to Goods	355
§ 5/2-723	Proof of Market Price—Time and Place	356
§ 5/2-724	Admissibility of Market Quotations.....	357
§ 5/2-725	Statute of Limitations in Contracts for Sale	358
ARTICLE 2A LEASES.....		365
PART 1 GENERAL PROVISIONS.....		369
§ 5/2A-101	Short Title.....	369
§ 5/2A-102	Scope.....	372
§ 5/2A-103	Definitions and Index of Definitions.....	373
§ 5/2A-104	Leases Subject to Other Law.....	383
§ 5/2A-105	Territorial Application of Article to Goods Covered by Certificate of Title ..	385
§ 5/2A-106	Limitation on Power of Parties to Consumer Lease to Choose Applicable Law and Judicial Forum.....	386
§ 5/2A-107	Waiver or Renunciation of Claim or Right After Default	388
§ 5/2A-108	Unconscionability.....	388
§ 5/2A-109	Option to Accelerate at Will.....	391
PART 2 FORMATION AND CONSTRUCTION OF LEASE CONTRACT...		392
§ 5/2A-201	Statute of Frauds.....	392
§ 5/2A-202	Final Written Expression—Parol or Extrinsic Evidence	395

TABLE OF CONTENTS

§ 5/2A-203	Seals Inoperative	395
§ 5/2A-204	Formation in General	395
§ 5/2A-205	Firm Offers.....	396
§ 5/2A-206	Offer and Acceptance in Formation of Lease Contract	397
§ 5/2A-207	[Blank].....	397
§ 5/2A-208	Modification, Rescission, and Waiver.....	397
§ 5/2A-209	Lessee Under Finance Lease as Beneficiary of Supply Contract.....	398
§ 5/2A-210	Express Warranties	401
§ 5/2A-211	Warranties Against Interference and Against Infringement—Lessee’s Obligation Against Infringement	402
§ 5/2A-212	Implied Warranty of Merchantability	403
§ 5/2A-213	Implied Warranty of Fitness for Particular Purpose	405
§ 5/2A-214	Exclusion or Modification of Warranties	406
§ 5/2A-215	Cumulation and Conflict of Warranties Express or Implied.....	408
§ 5/2A-216	Third-Party Beneficiaries of Express and Implied Warranties	408
§ 5/2A-217	Identification.....	409
§ 5/2A-218	Insurance and Proceeds.....	410
§ 5/2A-219	Risk of Loss	411
§ 5/2A-220	Effect of Default on Risk of Loss	412
§ 5/2A-221	Casualty to Identified Goods	413
PART 3 EFFECT OF LEASE CONTRACT.....		414
§ 5/2A-301	Enforceability of Lease Contract.....	414
§ 5/2A-302	Title to and Possession of Goods.....	417
§ 5/2A-303	Alienability of Party’s Interest Under Lease Contract or of Lessor’s Residual Interest in Goods—Delegation of Performance—Transfer of Rights	417
§ 5/2A-304	Subsequent Lease of Goods by Lessor	421
§ 5/2A-305	Sale or Sublease of Goods by Lessee	424
§ 5/2A-306	Priority of Certain Liens Arising by Operation of Law.....	425
§ 5/2A-307	Priority of Liens Arising by Attachment or Levy on, Security Interests in, and Other Claims to Goods.....	425
§ 5/2A-308	Special Rights of Creditors	427
§ 5/2A-309	Lessor’s and Lessee’s Rights When Goods Become Fixtures	428
§ 5/2A-310	Lessor’s and Lessee’s Rights When Goods Become Accessions	430
§ 5/2A-311	Priority Subject to Subordination.....	432
PART 4 PERFORMANCE OF LEASE CONTRACT: REPUDIATED, SUBSTITUTED AND EXCUSED		432
§ 5/2A-401	Insecurity—Adequate Assurance of Performance.....	432
§ 5/2A-402	Anticipatory Repudiation	433
§ 5/2A-403	Retraction of Anticipatory Repudiation	434
§ 5/2A-404	Substituted Performance	434
§ 5/2A-405	Excused Performance	435
§ 5/2A-406	Procedure on Excused Performance	436
§ 5/2A-407	Irrevocable Promises—Finance Leases	436
PART 5 DEFAULT.....		439
A In General.....		439

UCC WITH ILLINOIS CODE COMMENTS

§ 5/2A-501	Default—Procedure	439
§ 5/2A-502	Notice After Default.....	441
§ 5/2A-503	Modification or Impairment of Rights and Remedies.....	441
§ 5/2A-504	Liquidation of Damages	443
§ 5/2A-505	Cancellation and Termination and Effect of Cancellation, Termination, Rescission, or Fraud on Rights and Remedies	445
§ 5/2A-506	Statute of Limitations	446
§ 5/2A-507	Proof of Market Rent—Time and Place	447
	B Default By Lessor	448
§ 5/2A-508	Lessee's Remedies	448
§ 5/2A-509	Lessee's Rights on Improper Delivery—Rightful Rejection	451
§ 5/2A-510	Installment Lease Contracts—Rejection and Default	452
§ 5/2A-511	Merchant Lessee's Duties as to Rightfully Rejected Goods	453
§ 5/2A-512	Lessee's Duties as to Rightfully Rejected Goods	454
§ 5/2A-513	Cure by Lessor of Improper Tender or Delivery—Replacement	455
§ 5/2A-514	Waiver of Lessee's Objections	456
§ 5/2A-515	Acceptance of Goods.....	456
§ 5/2A-516	Effect of Acceptance of Goods—Notice of Default—Burden of Establishing Default After Acceptance—Notice of Claim or Litigation to Person Answerable Over	457
§ 5/2A-517	Revocation of Acceptance of Goods	460
§ 5/2A-518	Cover—Substitute Goods	461
§ 5/2A-519	Lessee's Damages for Nondelivery, Repudiation, Default, and Breach of Warranty in Regard to Accepted Goods	464
§ 5/2A-520	Lessee's Incidental and Consequential Damages	466
§ 5/2A-521	Lessee's Right to Specific Performance or Replevin	467
§ 5/2A-522	Lessee's Right to Goods on Lessor's Insolvency	468
§ 5/2A-523	Lessor's Remedies	469
	C Default By Lessee	473
§ 5/2A-524	Lessor's Right to Identify Goods to Lease Contract	473
§ 5/2A-525	Lessor's Right to Possession of Goods	474
§ 5/2A-526	Lessor's Stoppage of Delivery in Transit or Otherwise.....	475
§ 5/2A-527	Lessor's Rights to Dispose of Goods	476
§ 5/2A-528	Lessor's Damages for Nonacceptance, Failure to Pay, Repudiation, or Other Default	479
§ 5/2A-529	Lessor's Action for the Rent	481
§ 5/2A-530	Lessor's Incidental Damages	483
§ 5/2A-531	Standing to Sue Third Parties for Injury to Goods	484
§ 5/2A-532	Lessor's Rights to Residual Interest.....	485

ARTICLE 3 NEGOTIABLE INSTRUMENTS 487

PART 1 GENERAL PROVISIONS AND DEFINITIONS 502

§ 5/3-101	Short Title.....	502
§ 5/3-102	Subject Matter.....	503
§ 5/3-103	Definitions	507
§ 5/3-104	Negotiable Instrument.....	512
§ 5/3-105	Issue of Instrument	521
§ 5/3-106	Unconditional Promise or Order.....	522
§ 5/3-107	Instrument Payable in Foreign Money	527
§ 5/3-108	Payable on Demand or at a Definite Time	528

TABLE OF CONTENTS

§ 5/3-109	Payable to Bearer or to Order	531
§ 5/3-110	Identification of Person to Whom Instrument Is Payable.....	533
§ 5/3-111	Place of Payment	538
§ 5/3-112	Interest	539
§ 5/3-113	Date of Instrument	541
§ 5/3-114	Contradictory Terms of Instrument	542
§ 5/3-115	Incomplete Instrument	543
§ 5/3-116	Joint and Several Liability—Contribution.....	544
§ 5/3-117	Other Agreements Affecting an Instrument.....	546
§ 5/3-118	Statute of Limitations	547
§ 5/3-119	Notice of Right to Defend Action	554
PART 2 NEGOTIATION, TRANSFER, AND INDORSEMENT		555
§ 5/3-201	Negotiation.....	555
§ 5/3-202	Negotiation Subject to Rescission	556
§ 5/3-203	Transfer of Instrument; Rights Acquired by Transfer.....	557
§ 5/3-204	Indorsement	562
§ 5/3-205	Special Indorsement—Blank Indorsement—Anomalous Indorsement	566
§ 5/3-206	Restrictive Indorsement	568
§ 5/3-207	Reacquisition	572
PART 3 ENFORCEMENT OF INSTRUMENTS.....		573
§ 5/3-301	Person Entitled to Enforce Instrument	573
§ 5/3-302	Holder in Due Course.....	576
§ 5/3-303	Value and Consideration	586
§ 5/3-304	Overdue Instrument	590
§ 5/3-305	Defenses and Claims in Recoupment	592
§ 5/3-306	Claims to an Instrument	599
§ 5/3-307	Notice of Breach of Fiduciary Duty	599
§ 5/3-308	Proof of Signatures and Status as Holder in Due Course	605
§ 5/3-309	Enforcement of Lost, Destroyed, or Stolen Instrument	607
§ 5/3-310	Effect of Instrument on Obligation for Which Taken	609
§ 5/3-311	Accord and Satisfaction by Use of Instrument.....	612
§ 5/3-312	Lost, Destroyed, or Stolen Cashier's Check, Teller's Check, or Certified Check	618
PART 4 LIABILITY OF PARTIES		623
§ 5/3-401	Signature.....	623
§ 5/3-402	Signature by Representative.....	624
§ 5/3-403	Unauthorized Signature.....	628
§ 5/3-404	Impostors—Fictitious Payees	630
§ 5/3-405	Employer's Responsibility for Fraudulent Indorsement by Employee.....	635
§ 5/3-406	Negligence Contributing to Forged Signature or Alteration of Instrument...	640
§ 5/3-407	Alteration	645
§ 5/3-408	Drawee Not Liable on Unaccepted Draft	648
§ 5/3-409	Acceptance of Draft-Certified Check	649
§ 5/3-410	Acceptance Varying Draft	651
§ 5/3-411	Refusal to Pay Cashier's Checks, Teller's Checks, and Certified Checks.....	652
§ 5/3-412	Obligation of Issuer of Note or Cashier's Check	654
§ 5/3-413	Obligation of Acceptor	655

UCC WITH ILLINOIS CODE COMMENTS

§ 5/3-414	Obligation of Drawer	656
§ 5/3-415	Obligation of Indorser	659
§ 5/3-416	Transfer Warranties	661
§ 5/3-417	Presentment Warranties	664
§ 5/3-418	Payment or Acceptance by Mistake	670
§ 5/3-419	Instruments Signed for Accommodation	674
§ 5/3-420	Conversion of Instrument	678
PART 5 DISHONOR.....		683
§ 5/3-501	Presentment	683
§ 5/3-502	Dishonor.....	687
§ 5/3-503	Notice of Dishonor	691
§ 5/3-504	Excused Presentment and Notice of Dishonor	693
§ 5/3-505	Evidence of Dishonor	694
§ 5/3-505A	Provision of Credit Card Number as a Condition of Check Cashing or Acceptance Prohibited	695
PART 6 DISCHARGE AND PAYMENT.....		696
§ 5/3-601	Discharge and Effect of Discharge	696
§ 5/3-602	Payment.....	697
§ 5/3-603	Tender of Payment	699
§ 5/3-604	Discharge by Cancellation or Renunciation	701
§ 5/3-605	Discharge of Indorsers and Accommodation Parties	703
PART 7 ADVICE OF INTERNATIONAL SIGHT DRAFT (Repealed eff. Jan. 1, 1992)		713
PART 8 MISCELLANEOUS.....		713
§ 5/3-806	Checks or Drafts not Honored upon Presentment—Liability of Drawer	713
ARTICLE 4 BANK DEPOSITS AND COLLECTIONS.....		715
PART 1 GENERAL PROVISIONS AND DEFINITIONS		738
§ 5/4-101	Short Title.....	738
§ 5/4-102	Applicability	739
§ 5/4-103	Variation by Agreement; Measure of Damages; Action Constituting Ordinary Care	740
§ 5/4-104	Definitions and Index of Definitions	747
§ 5/4-105	“Bank”; “Depository Bank”; “Payor Bank”; “Intermediary Bank”; “Collecting Bank”; “Presenting Bank”.....	752
§ 5/4-106	Payable Through or Payable at Bank—Collecting Bank.....	754
§ 5/4-107	Separate Office of Bank	755
§ 5/4-108	Time of Receipt of Items.....	756
§ 5/4-109	Delays	757
§ 5/4-110	Electronic Presentment.....	758
§ 5/4-111	Statute of Limitations.....	765

TABLE OF CONTENTS

PART 2 COLLECTION OF ITEMS: DEPOSITARY AND COLLECTING BANKS	767
§ 5/4-201 Status of Collecting Bank as Agent and Provisional Status of Credits; Applicability of Article; Item Indorsed “Pay Any Bank”	767
§ 5/4-202 Responsibility for Collection or Return—When Action Timely	772
§ 5/4-203 Effect of Instructions	774
§ 5/4-204 Methods of Sending and Presenting—Sending Direct to Payor Bank	775
§ 5/4-205 Depositary Bank Holder of Unindorsed Item	777
§ 5/4-206 Transfer Between Banks	778
§ 5/4-207 Transfer Warranties	779
§ 5/4-208 Presentment Warranties	782
§ 5/4-209 Encoding and Retention Warranties	787
§ 5/4-210 Security Interest of Collecting Bank in Items, Accompanying Documents and Proceeds	791
§ 5/4-211 When Bank Gives Value for Purposes of Holder in Due Course	793
§ 5/4-212 Presentment by Notice of Item Not Payable by, Through, or at Bank—Liability of Drawer or Indorser	794
§ 5/4-213 Medium and Time of Settlement by Bank	795
§ 5/4-214 Right of Charge-Back or Refund—Liability of Collecting Bank—Return of Item	797
§ 5/4-215 Final Payment of Item by Payor Bank—When Provisional Debits and Credits Become Final—When Certain Credits Become Available for Withdrawal	800
§ 5/4-216 Insolvency and Preference	806
PART 3 COLLECTION OF ITEMS: PAYOR BANKS	808
§ 5/4-301 Deferred Posting—Recovery of Payment by Return of Items—Time of Dishonor—Return of Items by Payor Bank	808
§ 5/4-302 Payor Bank’s Responsibility for Late Return of Item	810
§ 5/4-303 When Items Subject to Notice, Stop-Order, Legal Process or Setoff—Order in Which Items May Be Charged or Certified	813
PART 4 RELATIONSHIP BETWEEN PAYOR BANK AND ITS CUSTOMER	817
§ 5/4-401 When Bank May Charge Customer’s Account	817
§ 5/4-402 Bank’s Liability to Customer for Wrongful Dishonor—Time of Determining Insufficiency of Account	821
§ 5/4-403 Customer’s Right to Stop Payment—Burden of Proof of Loss	824
§ 5/4-404 Bank Not Obligated to Pay Check More Than Six Months Old	828
§ 5/4-405 Death or Incompetence of Customer	829
§ 5/4-406 Customer’s Duty to Discover and Report Unauthorized Signature or Alteration	831
§ 5/4-407 Payor Bank’s Right to Subrogation on Improper Payment	840
PART 5 COLLECTION OF DOCUMENTARY DRAFTS	842
§ 5/4-501 Handling of Documentary Drafts; Duty to Send for Presentment and to Notify Customer of Dishonor	842
§ 5/4-502 Presentment of “On Arrival” Drafts	843

UCC WITH ILLINOIS CODE COMMENTS

§ 5/4-503	Responsibility of Presenting Bank for Documents and Goods—Report of Reasons for Dishonor—Referee in Case of Need.....	844
§ 5/4-504	Privilege of Presenting Bank to Deal With Goods—Security Interest for Expenses	845
ARTICLE 4A FUNDS TRANSFERS		847
PART 1 SUBJECT MATTER AND DEFINITIONS.....		855
§ 5/4A-101	Short Title.....	855
§ 5/4A-102	Subject Matter.....	856
§ 5/4A-103	Payment Order—Definitions	858
§ 5/4A-104	Funds Transfer—Definitions	860
§ 5/4A-105	Other Definitions	864
§ 5/4A-106	Time Payment Order Is Received.....	866
§ 5/4A-107	Federal Reserve Regulations and Operating Circulars	866
§ 5/4A-108	Exclusion of Consumer Transactions Governed by Federal Law.....	868
PART 2 ISSUE AND ACCEPTANCE OF PAYMENT ORDER		871
§ 5/4A-201	Security Procedure	871
§ 5/4A-202	Authorized and Verified Payment Orders.....	872
§ 5/4A-203	Unenforceability of Certain Verified Payment Orders.....	877
§ 5/4A-204	Refund of Payment and Duty of Customer to Report With Respect to an Unauthorized Payment Order.....	881
§ 5/4A-205	Erroneous Payment Orders	882
§ 5/4A-206	Transmission of Payment Order Through Funds Transfer or Other Communication System.....	885
§ 5/4A-207	Misdescription of Beneficiary	886
§ 5/4A-208	Misdescription of Intermediary Bank or Beneficiary's Bank	890
§ 5/4A-209	Acceptance of Payment Order.....	892
§ 5/4A-210	Rejection of Payment Order.....	897
§ 5/4A-211	Cancellation and Amendment of Payment Order	899
§ 5/4A-212	Liability and Duty of Receiving Bank Regarding Unaccepted Payment Order.....	903
PART 3 EXECUTION OF SENDER'S PAYMENT ORDER BY RECEIVING BANK.....		904
§ 5/4A-301	Execution and Execution Date.....	904
§ 5/4A-302	Obligations of Receiving Bank in Execution of Payment Order.....	905
§ 5/4A-303	Erroneous Execution of Payment Order	908
§ 5/4A-304	Duty of Sender to Report Erroneously Executed Payment Order.....	910
§ 5/4A-305	Liability for Late or Improper Execution or Failure to Execute Payment Order.....	911
PART 4 PAYMENT.....		915
§ 5/4A-401	Payment Date.....	915
§ 5/4A-402	Obligation of Sender to Pay Receiving Bank.....	915
§ 5/4A-403	Payment by Sender to Receiving Bank	917
§ 5/4A-404	Obligation of Beneficiary's Bank to Pay and Give Notice to Beneficiary....	919

TABLE OF CONTENTS

§ 5/4A-405	Payment by Beneficiary's Bank to Beneficiary	921
§ 5/4A-406	Payment by Originator to Beneficiary—Discharge of Underlying Obligation	923
PART 5 MISCELLANEOUS PROVISIONS.....		925
§ 5/4A-501	Variation by Agreement and Effect of Funds Transfer System Rule	925
§ 5/4A-502	Creditor Process Served on Receiving Bank—Setoff by Beneficiary's Bank	927
§ 5/4A-503	Injunction or Restraining Order With Respect to Funds Transfer.....	929
§ 5/4A-504	Order in Which Items and Payment Orders May Be Charged to Account—Order of Withdrawals From Account	929
§ 5/4A-505	Preclusion of Objection to Debit of Customer's Account.....	930
§ 5/4A-506	Rate of Interest	932
§ 5/4A-507	Choice of Law	933
ARTICLE 5 LETTERS OF CREDIT		937
§ 5/5-101	Short Title.....	953
§ 5/5-102	Definitions	954
§ 5/5-103	Scope.....	962
§ 5/5-104	Formal Requirements.....	967
§ 5/5-105	Consideration	969
§ 5/5-106	Issuance, Amendment, Cancellation, and Duration	969
§ 5/5-107	Confirmer, Nominated Person, and Adviser	973
§ 5/5-108	Issuer's Rights and Obligations.....	975
§ 5/5-109	Fraud and Forgery	988
§ 5/5-110	Warranties	993
§ 5/5-111	Remedies	996
§ 5/5-112	Transfer of Letter of Credit	1000
§ 5/5-113	Transfer by Operation of Law.....	1002
§ 5/5-114	Assignment of Proceeds.....	1004
§ 5/5-115	Statute of Limitations	1007
§ 5/5-116	Choice of Law and Forum	1007
§ 5/5-117	Subrogation of Issuer, Applicant, and Nominated Person	1012
§ 5/5-118	Security Interest of Issuer or Nominated Person.....	1014
ARTICLE 6 BULK TRANSFERS (REPEALED)		1017
ARTICLE 7 WAREHOUSE RECEIPTS, BILLS OF LADING AND OTHER DOCUMENTS OF TITLE		1019
PART 1 GENERAL.....		1022
Sec. 5/7-101	Short Title.....	1023
Sec. 5/7-102	Definitions and Index of Definitions.....	1023
Sec. 5/7-103	Relation of Article to Treaty or Statute	1028
Sec. 5/7-104	Negotiable and Nonnegotiable Document of Title	1031
Sec. 5/7-105	Reissuance in Alternative Medium	1033
Sec. 5/7-106	Control of Electronic Document of Title.....	1035
PART 2 WAREHOUSE RECEIPTS: SPECIAL PROVISIONS.....		1038

UCC WITH ILLINOIS CODE COMMENTS

Sec. 5/7-201	Person That May Issue a Warehouse Receipt; Storage Under Bond.....	1038
Sec. 5/7-202	Form of Warehouse Receipt; Effect of Omission	1039
Sec. 5/7-203	Liability for Nonreceipt or Misdescription.....	1041
Sec. 5/7-204	Duty of Care; Contractual Limitation of Warehouse's Liability	1042
Sec. 5/7-205	Title Under Warehouse Receipt Defeated in Certain Cases	1046
Sec. 5/7-206	Termination of Storage at Warehouse's Option	1047
Sec. 5/7-207	Goods Must be Kept Separate; Fungible Goods.....	1049
Sec. 5/7-208	Altered Warehouse Receipts.....	1051
Sec. 5/7-209	Lien of Warehouse.....	1052
Sec. 5/7-210	Enforcement of Warehouse's Lien	1058

PART 3 BILLS OF LADING: SPECIAL PROVISIONS..... 1062

Sec. 5/7-301	Liability for Nonreceipt or Misdescription; "Said to Contain"; "Shipper's Weight, Load, and Count"; Improper Handling	1062
Sec. 5/7-302	Through Bills of Lading and Similar Documents of Title.....	1065
Sec. 5/7-303	Diversions; Reconsignment; Change of Instructions.....	1068
Sec. 5/7-304	Tangible Bills of Lading in a Set	1070
Sec. 5/7-305	Destination Bills.....	1072
Sec. 5/7-306	Altered Bills of Lading.....	1073
Sec. 5/7-307	Lien of Carrier.....	1074
Sec. 5/7-308	Enforcement of Carrier's Lien.....	1076
Sec. 5/7-309	Duty of Care; Contractual Limitation of Carrier's Liability	1078

PART 4 WAREHOUSE RECEIPTS AND BILLS OF LADING: GENERAL OBLIGATIONS 1080

Sec. 5/7-401	Irregularities in Issue of Receipt or Bill or Conduct of Issuer.....	1080
Sec. 5/7-402	Duplicate Document of Title; Overissue	1082
Sec. 5/7-403	Obligation of Bailee to Deliver; Excuse	1083
Sec. 5/7-404	No Liability for Good-Faith Delivery Pursuant to Document of Title	1087

PART 5 WAREHOUSE RECEIPTS AND BILLS OF LADING: NEGOTIATION AND TRANSFER..... 1088

Sec. 5/7-501	Form of Negotiation and Requirements of Due Negotiation.....	1088
Sec. 5/7-502	Rights Acquired by Due Negotiation	1092
Sec. 5/7-503	Document of Title to Goods Defeated in Certain Cases	1095
Sec. 5/7-504	Rights Acquired in Absence of Due Negotiation; Effect of Diversion; Stoppage of Delivery	1098
Sec. 5/7-505	Indorser not a Guarantor for Other Parties	1101
Sec. 5/7-506	Delivery Without Indorsement: Right to Compel Indorsement.....	1102
Sec. 5/7-507	Warranties on Negotiation or Delivery of Document of Title	1103
Sec. 5/7-508	Warranties of Collecting Bank as to Documents of Title.....	1104
Sec. 5/7-509	Adequate Compliance with Commercial Contract	1105

PART 6 WAREHOUSE RECEIPTS AND BILLS OF LADING: MISCELLANEOUS PROVISIONS..... 1105

Sec. 5/7-601	Lost, Stolen, or Destroyed Documents of Title	1105
Sec. 5/7-602	Judicial Process Against Goods Covered by Negotiable Document of Title	1107

TABLE OF CONTENTS

Sec. 5/7-603	Conflicting Claims; Interpleader	1109
PART 7 MISCELLANEOUS PROVISIONS.....		1110
Sec. 5/7-701	Effective Date	1110
Sec. 5/7-702	Repeals	1110
Sec. 5/7-703	Applicability.....	1110
Sec. 5/7-704	Savings Clause.....	1111

Volume 2B

ARTICLE 8 INVESTMENT SECURITIES		1
PART 1 SHORT TITLE AND GENERAL MATTERS.....		15
§ 5/8-101	Short Title.....	15
§ 5/8-102	Definitions	15
§ 5/8-103	Rules for Determining Whether Certain Obligations and Interests Are Securities or Financial Assets.....	28
§ 5/8-104	Acquisition of Security or Financial Asset or Interest Therein	31
§ 5/8-105	Notice of Adverse Claim	33
§ 5/8-106	Control	38
§ 5/8-107	Whether Indorsement, Instruction, or Entitlement Order Is Effective.....	43
§ 5/8-108	Warranties in Direct Holding	47
§ 5/8-109	Warranties in Indirect Holding.....	52
§ 5/8-110	Applicability; Choice of Law	53
§ 5/8-111	Clearing Corporation Rules	60
§ 5/8-112	Creditor's Legal Process	60
§ 5/8-113	Statute of Frauds Inapplicable	64
§ 5/8-114	Evidentiary Rules Concerning Certificated Securities	65
§ 5/8-115	Securities Intermediary and Others Not Liable to Adverse Claimant.....	67
§ 5/8-116	Securities Intermediary as Purchaser for Value	70
PART 2 ISSUE AND ISSUER.....		71
§ 5/8-201	“Issuer”	71
§ 5/8-202	Issuer's Responsibility and Defenses—Notice of Defect or Defense	72
§ 5/8-203	Staleness as Notice of Defect or Defense	77
§ 5/8-204	Effect of Issuer's Restriction on Transfer.....	79
§ 5/8-205	Effect of Unauthorized Signature on Security Certificate	81
§ 5/8-206	Completion or Alteration of Security Certificate.....	82
§ 5/8-207	Rights and Duties of Issuer With Respect to Registered Owners.....	84
§ 5/8-208	Effect of Signature of Authenticating Trustee, Registrar, or Transfer Agent ..	85
§ 5/8-209	Issuer's Lien	87
§ 5/8-210	Overissue.....	88
PART 3 TRANSFER OF CERTIFICATED AND UNCERTIFICATED SECURITIES.....		90
§ 5/8-301	Delivery	90
§ 5/8-302	Rights of Purchaser	92

UCC WITH ILLINOIS CODE COMMENTS

§ 5/8-303	Protected Purchaser	94
§ 5/8-304	Indorsement	96
§ 5/8-305	Instruction	100
§ 5/8-306	Effect of Guaranteeing Signature, Indorsement, or Instruction	101
§ 5/8-307	Purchaser's Right to Requisites for Registration of Transfer.....	105
PART 4 REGISTRATION		106
§ 5/8-401	Duty of Issuer to Register Transfer	106
§ 5/8-402	Assurance That Indorsement or Instruction Is Effective	110
§ 5/8-403	Demand That Issuer Not Register Transfer.....	113
§ 5/8-404	Wrongful Registration	117
§ 5/8-405	Replacement of Lost, Destroyed, or Wrongfully Taken Security Certificate ..	119
§ 5/8-406	Obligation to Notify Issuer of Lost, Destroyed, or Wrongfully Taken Security Certificate.....	122
§ 5/8-407	Authenticating Trustee, Transfer Agent, and Registrar	123
PART 5 SECURITY ENTITLEMENTS		123
§ 5/8-501	Securities Account; Acquisition of Security Entitlement From Securities Intermediary	123
§ 5/8-502	Assertion of Adverse Claim Against Entitlement Holder	128
§ 5/8-503	Property Interest of Entitlement Holder in Financial Asset Held by Securities Intermediary.....	130
§ 5/8-504	Duty of Securities Intermediary to Maintain Financial Asset	134
§ 5/8-505	Duty of Securities Intermediary With Respect to Payments and Distributions	138
§ 5/8-506	Duty of Securities Intermediary to Exercise Rights as Directed by Entitlement Holder.....	138
§ 5/8-507	Duty of Securities Intermediary to Comply With Entitlement Order	139
§ 5/8-508	Duty of Securities Intermediary to Change Entitlement Holder's Position to Other Form of Security Holding	141
§ 5/8-509	Specification of Duties of Securities Intermediary by Other Statute or Regulation; Manner of Performance of Duties of Securities Intermediary and Exercise of Rights of Entitlement Holder	142
§ 5/8-510	Rights of Purchaser of Security Entitlement From Entitlement Holder	143
§ 5/8-511	Priority Among Security Interests and Entitlement Holders.....	146
PART 6 TRANSITION PROVISIONS FOR REVISED ARTICLE 8...		148
§ 5/8-601	Effective Date (Blank)	148
§ 5/8-602	Repeals	148
§ 5/8-603	Savings Clause	148
ARTICLE 9 SECURED TRANSACTIONS.....		151
PART 1 GENERAL PROVISIONS		174
SUBPART 1 SHORT TITLE, DEFINITIONS, AND GENERAL CONCEPTS.....		174
§ 5/9-101	Short Title.....	174

TABLE OF CONTENTS

§ 5/9-102	Definitions and Index of Definitions	183
§ 5/9-103	Purchase-Money Security Interest; Application of Payments; Burden of Establishing.....	220
§ 5/9-104	Control of Deposit Account.....	229
§ 5/9-105	Control of Electronic Chattel Paper.....	230
§ 5/9-106	Control of Investment Property.....	232
§ 5/9-107	Control of Letter-of-Credit Right	233
§ 5/9-107.1	Control of Beneficial Interest in Illinois Land Trust	234
§ 5/9-108	Sufficiency of Description.....	235
SUBPART 2 APPLICABILITY OF ARTICLE		241
§ 5/9-109	Scope.....	241
§ 5/9-110	Security Interests Arising Under Article 2 or 2A.....	253
PART 2 EFFECTIVENESS OF SECURITY AGREEMENT; ATTACHMENT OF SECURITY INTEREST; RIGHTS OF PARTIES TO SECURITY AGREEMENT		255
SUBPART 1 EFFECTIVENESS AND ATTACHMENT		255
§ 5/9-201	General Effectiveness of Security Agreement.....	255
§ 5/9-202	Title to Collateral Immaterial	258
§ 5/9-203	Attachment and Enforceability of Security Interest; Proceeds; Supporting Obligations; Formal Requisites	259
§ 5/9-204	After-Acquired Property; Future Advances.....	272
§ 5/9-205	Use or Disposition of Collateral Permissible	276
§ 5/9-205.1	Listing by Debtor of Desired Purchasers or Receivers of Collateral.....	278
§ 5/9-206	Security Interest Arising in Purchase or Delivery of Financial Asset.....	278
SUBPART 2 RIGHTS AND DUTIES		280
§ 5/9-207	Rights and Duties of Secured Party Having Possession or Control of Collateral.....	280
§ 5/9-208	Additional Duties of Secured Party Having Control of Collateral	285
§ 5/9-209	Duties of Secured Party if Account Debtor has Been Notified of Assignment.....	287
§ 5/9-210	Request for Accounting; Request Regarding List of Collateral or Statement of Account	288
PART 3 PERFECTION AND PRIORITY.....		291
SUBPART 1 LAW GOVERNING PERFECTION AND PRIORITY....		291
§ 5/9-301	Law Governing Perfection and Priority of Security Interests.....	291
§ 5/9-302	Law Governing Perfection and Priority of Agricultural Liens.....	297
§ 5/9-303	Law Governing Perfection and Priority of Security Interests in Goods Covered by a Certificate of Title.....	298
§ 5/9-304	Law Governing Perfection and Priority of Security Interests in Deposit Accounts.....	301
§ 5/9-305	Law Governing Perfection and Priority of Security Interests in Investment Property	302

UCC WITH ILLINOIS CODE COMMENTS

§ 5/9-306	Law Governing Perfection and Priority of Security Interests in Letter-of-Credit Rights	306
§ 5/9-306.1	Laws Governing Perfection and Priority of Collateral Assignments of Beneficial Interests in Illinois Land Trusts	307
§ 5/9-307	Location of Debtor.....	308
SUBPART 2 PERFECTION		312
§ 5/9-308	When Security Interest or Agricultural Lien is Perfected; Continuity of Perfection	312
§ 5/9-309	Security Interest Perfected upon Attachment.....	315
§ 5/9-310	When Filing Required to Perfect Security Interest or Agricultural Lien; Security Interests and Agricultural Liens to Which Filing Provisions do not Apply.....	324
§ 5/9-311	Perfection of Security Interests in Property Subject to Certain Statutes, Regulations, and Treaties	327
§ 5/9-312	Perfection of Security Interests in Chattel Paper, Deposit Accounts, Documents, Goods Covered by Documents, Instruments, Investment Property, Letter-of-Credit Rights, and Money; Perfection by Permissive Filing; Temporary Perfection Without Filing or Transfer of Possession ...	334
§ 5/9-313	When Possession by or Delivery to Secured Party Perfects Security Interest Without Filing.....	339
§ 5/9-314	Perfection by Control	345
§ 5/9-315	Secured Party's Rights on Disposition of Collateral and in Proceeds	347
§ 5/9-315.01	Debtor Disposing of Collateral and Failing to Pay Secured Party Amount Due Under Security Agreement; Penalties for Violation	355
§ 5/9-315.02	Disposal of Collateral by Debtor to Persons Other Than Those Previously Disclosed to Secured Party-Penalties for Violation-Defense ...	356
§ 5/9-316	Effect of Change in Governing Law	356
SUBPART 3 PRIORITY		362
§ 5/9-317	Interests That Take Priority Over or Take Free of Security Interest or Agricultural Lien.....	362
§ 5/9-318	No Interest Retained in Right to Payment That is Sold; Rights and Title of Seller of Account or Chattel Paper with Respect to Creditors and Purchasers	367
§ 5/9-319	Rights and Title of Consignee with Respect to Creditors and Purchasers....	368
§ 5/9-320	Buyer of Goods and Farm Products.....	370
§ 5/9-320.1	Liability of Commission Merchant or Selling Agent Engaged in Sale of Livestock or Other Farm Products to Holder of Security Interest.....	377
§ 5/9-320.2	Notice to Seller of Farm Products.....	378
§ 5/9-321	Licensee of General Intangible and Lessee of Goods in Ordinary Course of Business.....	379
§ 5/9-322	Priorities Among Conflicting Security Interests in and Agricultural Liens on Same Collateral.....	380
§ 5/9-323	Future Advances	387
§ 5/9-324	Priority of Purchase-Money Security Interests	391
§ 5/9-325	Priority of Security Interests in Transferred Collateral	399
§ 5/9-326	Priority of Security Interests Created by New Debtor	400
§ 5/9-327	Priority of Security Interests in Deposit Account.....	402
§ 5/9-328	Priority of Security Interests in Investment Property	404
§ 5/9-329	Priority of Security Interests in Letter-of-Credit Right.....	409

TABLE OF CONTENTS

§ 5/9-329.1	Priority of Security Interests in Beneficial Interest in an Illinois Land Trust	410
§ 5/9-330	Priority of Purchaser of Chattel Paper or Instrument	411
§ 5/9-331	Priority of Rights of Purchasers of Instruments, Documents, and Securities Under Other Articles; Priority of Interests in Financial Assets and Security Entitlements Under Article 8.....	417
§ 5/9-332	Transfer of Money; Transfer of Funds from Deposit Account	419
§ 5/9-333	Priority of Certain Liens Arising by Operation of Law	421
§ 5/9-334	Priority of Security Interests in Fixtures and Crops	423
§ 5/9-335	Accessions	430
§ 5/9-336	Commingled Goods.....	432
§ 5/9-337	Priority of Security Interests in Goods Covered by Certificate of Title	434
§ 5/9-338	Priority of Security Interest or Agricultural Lien Perfected by Filed Financing Statement Providing Certain Incorrect Information.....	436
§ 5/9-339	Priority Subject to Subordination	437
SUBPART 4 RIGHTS OF BANK.....		438
§ 5/9-340	Effectiveness of Right of Recoupment or Set-off Against Deposit Account....	438
§ 5/9-341	Bank's Rights and Duties with Respect to Deposit Account.....	439
§ 5/9-342	Bank's Right to Refuse to Enter into or Disclose Existence of Control Agreement.....	439
PART 4 RIGHTS OF THIRD PARTIES		440
§ 5/9-401	Alienability of Debtor's Rights	440
§ 5/9-402	Secured Party not Obligated on Contract of Debtor or in Tort.....	442
§ 5/9-403	Agreement not to Assert Defenses Against Assignee	443
§ 5/9-404	Rights Acquired by Assignee; Claims and Defenses Against Assignee	447
§ 5/9-404.5	Termination Statement; Duties of Filing Officer	450
§ 5/9-405	Modification of Assigned Contract.....	451
§ 5/9-406	Discharge of Account Debtor; Notification of Assignment; Identification and Proof of Assignment; Restrictions on Assignment of Accounts, Chattel Paper, Payment Intangibles, and Promissory Notes Ineffective	453
§ 5/9-407	Restrictions on Creation or Enforcement of Security Interest in Leasehold Interest or in Lessor's Residual Interest	459
§ 5/9-408	Restrictions on Assignment of Promissory Notes, Health-Care-Insurance Receivables, and Certain General Intangibles Ineffective	460
§ 5/9-409	Restrictions on Assignment of Letter-of-Credit Rights Ineffective.....	465
PART 5 FILING.....		466
SUBPART 1 FILING OFFICE; CONTENTS AND EFFECTIVENESS OF FINANCING STATEMENT		466
§ 5/9-501	Filing Office.....	466
§ 5/9-501.1	Fraudulent Records	472
§ 5/9-502	Contents of Financing Statement; Record of Mortgage as Financing Statement; Time of Filing Financing Statement.....	474
§ 5/9-503	Name of Debtor and Secured Party	481
§ 5/9-504	Indication of Collateral	493
§ 5/9-505	Filing and Compliance with Other Statutes and Treaties for Consignments,	

UCC WITH ILLINOIS CODE COMMENTS

	Leases, Other Bailments, and Other Transactions	496
§ 5/9-506	Effect of Errors or Omissions	498
§ 5/9-507	Effect of Certain Events on Effectiveness of Financing Statement.....	502
§ 5/9-508	Effectiveness of Financing Statement if New Debtor Becomes Bound by Security Agreement	506
§ 5/9-509	Persons Entitled to File a Record	509
§ 5/9-510	Effectiveness of Filed Record	512
§ 5/9-511	Secured Party of Record	513
§ 5/9-512	Amendment of Financing Statement.....	514
§ 5/9-513	Termination Statement	516
§ 5/9-514	Assignment of Powers of Secured Party of Record	519
§ 5/9-515	Duration and Effectiveness of Financing Statement; Effect of Lapsed Financing Statement.....	521
§ 5/9-516	What Constitutes Filing; Effectiveness of Filing	524
§ 5/9-517	Effect of Indexing Errors	527
§ 5/9-518	Claim Concerning Inaccurate or Wrongfully Filed Record	528

SUBPART 2 DUTIES AND OPERATION OF FILING OFFICE 530

§ 5/9-519	Numbering, Maintaining, and Indexing Records; Communicating Information Provided in Records	530
§ 5/9-520	Acceptance and Refusal to Accept Record	533
§ 5/9-521	Uniform Form of Written Financing Statement and Amendment	534
§ 5/9-522	Maintenance and Destruction of Records.....	535
§ 5/9-523	Information from Filing Office; Sale or License of Records.....	536
§ 5/9-524	Delay by Filing Office.....	539
§ 5/9-525	Fees	539
§ 5/9-526	Filing-Office Rules	540
§ 5/9-527	Duty to Report.....	542
§ 5/9-528	Liability of Filing Officer	542

14 ILL. ADMIN. CODE §§ 180.10–180.19 542

§ 180.10	Definitions	542
§ 180.11	Tender of UCC Records for Filing/Search Request Delivery.....	543
§ 180.12	Forms.....	544
§ 180.13	Filing Fees/Methods of Payment/Overpayment and Underpayment Policies and Extension of Filing Deadlines	545
§ 180.14	Public Record Services.....	546
§ 180.15	Acceptance and Refusal of Records	547
§ 180.16	UCC Information Management System	548
§ 180.17	Filing and Data Entry Procedures	552
§ 180.18	Search Requests and Reports.....	553
§ 180.19	XML Documents	555

PART 6 DEFAULT 556

SUBPART 1 DEFAULT AND ENFORCEMENT OF SECURITY INTEREST 556

§ 5/9-601	Rights After Default; Judicial Enforcement; Consignor or Buyer of Accounts, Chattel Paper, Payment Intangibles, or Promissory Notes	556
§ 5/9-602	Waiver and Variance of Rights and Duties.....	560

TABLE OF CONTENTS

§ 5/9-603	Agreement on Standards Concerning Rights and Duties	562
§ 5/9-604	Procedure if Security Agreement Covers Real Property or Fixtures	563
§ 5/9-605	Unknown Debtor or Secondary Obligor	565
§ 5/9-606	Time of Default for Agricultural Lien	565
§ 5/9-607	Collection and Enforcement by Secured Party	566
§ 5/9-608	Application of Proceeds of Collection or Enforcement; Liability for Deficiency and Right to Surplus	570
§ 5/9-609	Secured Party's Right to Take Possession After Default	572
§ 5/9-610	Disposition of Collateral After Default	578
§ 5/9-611	Notification Before Disposition of Collateral	587
§ 5/9-612	Timeliness of Notification Before Disposition of Collateral	592
§ 5/9-613	Contents and Form of Notification Before Disposition of Collateral: General	593
§ 5/9-614	Contents and Form of Notification Before Disposition of Collateral: Consumer-Goods Transaction	595
§ 5/9-615	Application of Proceeds of Disposition; Liability for Deficiency and Right to Surplus	597
§ 5/9-616	Explanation of Calculation of Surplus or Deficiency	602
§ 5/9-617	Rights of Transferee of Collateral	606
§ 5/9-618	Rights and Duties of Certain Secondary Obligors	607
§ 5/9-619	Transfer of Record or Legal Title	609
§ 5/9-620	Acceptance of Collateral in Full or Partial Satisfaction of Obligation; Compulsory Disposition of Collateral	610
§ 5/9-621	Notification of Proposal to Accept Collateral	616
§ 5/9-622	Effect of Acceptance of Collateral	617
§ 5/9-623	Right to Redeem Collateral	618
§ 5/9-624	Waiver	620
SUBPART 2 NONCOMPLIANCE WITH ARTICLE		621
§ 5/9-625	Remedies for Secured Party's Failure to Comply with Article	621
§ 5/9-626	Action in Which Deficiency or Surplus is in Issue; Applicable Rules if Amount of Deficiency or Surplus is in Issue	625
§ 5/9-627	Determination of Whether Conduct was Commercially Reasonable	630
§ 5/9-628	Nonliability and Limitation on Liability of Secured Party; Liability of Secondary Obligor	632
PART 7 TRANSITION		633
§ 5/9-701	Effective Date	633
§ 5/9-702	Savings Clause	634
§ 5/9-703	Security Interest Perfected Before Effective Date	635
§ 5/9-704	Security Interest Unperfected Before Effective Date	637
§ 5/9-705	Effectiveness of Action Taken Before Effective Date	638
§ 5/9-706	When Initial Financing Statement Suffices to Continue Effectiveness of Financing Statement	642
§ 5/9-707	Amendment of Pre-Effective-Date Financing Statement	644
§ 5/9-708	Persons Entitled to File Initial Financing Statement or Continuation Statement	647
§ 5/9-709	Priority	647
§ 5/9-710	Local-Filing Office Responsibilities for Filings Under the Uniform Commercial Code Prior to This Amendatory Act of the 91st General Assembly	649

PART 8 TRANSITION PROVISIONS FOR 2010 AMENDMENTS	651
§ 5/9-801 Effective date	651
§ 5/9-802 Savings Clause	651
§ 5/9-803 Security Interest Perfected Before Effective Date	652
§ 5/9-804 Security Interest Unperfected Before the Effective Date of This Amendatory Act of the 97th General Assembly	652
§ 5/9-805 Effectiveness of Action Taken Before the Effective Date of This Amendatory Act of the 97th General Assembly	653
§ 5/9-806 When Initial Financing Statement Suffices to Continue Effectiveness of Financing Statement.....	654
§ 5/9-807 Amendment of Pre-Effective-Date Financing Statement	655
§ 5/9-808 Person Entitled to File Initial Financing Statement or Continuation Statement	657
§ 5/9-809 Priority	657
92 ILL. ADMIN. CODE § 1010.160.....	657
§ 1010.160 Repossession of Vehicles by Lienholders and Creditors.....	657
ARTICLE 10 EFFECTIVE DATE AND REPEALER.....	661
§ 5/10-101 Effective Date	661
§ 5/10-102 Specific Repealer—Provision for Transition.....	662
§ 5/10-103 General Repealer	664
ARTICLE 11 EFFECTIVE DATE AND TRANSITION PROVISIONS	667
§ 5/11-101 Effective Date	667
§ 5/11-102 Preservation of Old Transition Provision.....	667
§ 5/11-103 Transition to Amendatory Act of 1972—General Rule	668
§ 5/11-104 Transition Provision on Change or Requirement of Filing	669
§ 5/11-105 Transition Provision on Change of Place of Filing	670
§ 5/11-106 Required Refilings	671
§ 5/11-107 Transition Provisions as to Priorities.....	673
§ 5/11-108 Presumption That Rule of Law Continues Unchanged	674
ARTICLE 12 EFFECTIVE DATE AND TRANSITION TO AMENDATORY ACT OF 1987.....	677
§ 5/12-101 Effective Date	677
§ 5/12-102 Transition to Amendatory Act of 1987.....	677
ARTICLE 13 EFFECTIVE DATE AND TRANSITION PROVISIONS FOR AMENDATORY ACT OF 1996.....	681
§ 5/13-101 Effective Date	681
§ 5/13-102 Applicability.....	681
§ 5/13-103 Savings Clause.....	681
Table of Laws and Rules	
Table of Cases	
Index	