

TITLE 14: COMMERCE
SUBTITLE A: REGULATION OF BUSINESS
CHAPTER I: SECRETARY OF STATE
PART 180 UNIFORM COMMERCIAL CODE

The General Assembly's Illinois Administrative Code database includes only those rulemakings that have been permanently adopted. This menu will point out the Sections on which an emergency rule (valid for a maximum of 150 days, usually until replaced by a permanent rulemaking) exists. The emergency rulemaking is linked through the notation that follows the Section heading in the menu.

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AUTHORITY: Implementing and authorized by Article 9 of the Uniform Commercial Code [810 ILCS 5/Art. 9].

SOURCE: Adopted at 12 Ill. Reg. 17431, effective November 1, 1988; amended at 18 Ill. Reg. 2101, effective February 1, 1994; amended at 20 Ill. Reg. 7064, effective May 8, 1996; emergency amendment at 25 Ill. Reg. 9984, effective July 23, 2001, for a maximum of 150 days; emergency expired December 19, 2001; amended at 26 Ill. Reg. 7448, effective May 2, 2002; amended at 29 Ill. Reg. 19704, effective November 28, 2005; amended at 30 Ill. Reg. 12977, effective July 11, 2006; amended at 31 Ill. Reg. 8559, effective June 15, 2007; amended at 32 Ill. Reg. 12057, effective July 16, 2008.

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CHAPTER I: SECRETARY OF STATE
PART 180 UNIFORM COMMERCIAL CODE
SECTION 180.10 DEFINITIONS

Section 180.10 Definitions

"Amendment" means a UCC record that amends the information contained in a financing statement. Amendments include assignments, continuations and terminations.

"Assignment" means an amendment that assigns all or a part of a secured party's power to authorize an amendment to a financing statement.

"Continuation statement" shall have the meaning prescribed by Section 9-102(27) of the UCC.

"Correction statement" means a UCC record that indicates that a financing statement is inaccurate or wrongfully filed.

"Department" means the Department of Business Services of the Office of the Secretary of State.

"Director" means the Director of the Department.

"File number" shall have the meaning prescribed by Section 9-519(b) of the UCC [810 ILCS 5/9-519(b)].

"Filing office" and "filing officer" means Secretary of State (see Section 9-501 of the UCC [810 ILCS 5/9-501]).

"Filing officer statement" means a statement entered into the filing office's information system to correct an error by the filing office.

"Financing statement" shall have the meaning prescribed by Section 9-102(39) of the UCC [810 ILCS 5/9-102(39)].

"Individual" means a human being or a decedent, in the case of a debtor that is the decedent's estate.

"Initial financing statement" means a UCC record that does not identify itself as an amendment or identify an initial financing statement to which it relates, as required by Section 9-512, 9-514 or 9-518 of the UCC [810 ILCS 5/9-512, 9-514 or 9-518].

"Online services" means the interactive computer applications for UCC document filing and search functions, including direct computer access, available on the Illinois Secretary of State web site.

"Organization" means a legal person who is not an individual.

"Remitter" means a person who tenders a UCC record to the filing officer for filing, whether the person is a filer or an agent of a filer responsible for tendering the record for filing. "Remitter" does not include a person responsible merely for the delivery of the record to the filing office, such as the postal service or a courier service, but does include a service provider who acts as a filer's representative in the filing process.

"Secretary" means the Secretary of State of Illinois.

"Secured party of record" shall have the meaning prescribed in Section

9-511 of the UCC [810 ILCS 5/9-511].

"Termination statement" shall have the meaning prescribed by Section 9-102(79) of the UCC [810 ILCS 5/9-102(79)].

"UCC" means the Uniform Commercial Code-Secured Transactions as adopted in this State at 810 ILCS 5/Art. 9.

"UCC Division" means that unit of the Department that records, maintains, supplies copies, and otherwise administers the UCC.

"UCC record" means an initial financing statement, an amendment, an assignment, a continuation, a termination, or a correction statement, and shall not be deemed to refer exclusively to paper-based writings.

(Source: Amended at 30 Ill. Reg. 12977, effective July 11, 2006)

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SECTION 180.11 TENDER OF UCC RECORDS FOR FILING/SEARCH REQUEST DELIVERY

Section 180.11 Tender of UCC Records for Filing/Search Request Delivery

- a) UCC records may be tendered for filing at the UCC Division as follows:
- 1) Personal delivery, at the UCC Division's street address. The file time for a UCC record delivered by this method is when delivery of the UCC record is accepted by the filing office (even though the UCC record may not yet have been accepted for filing and subsequently may be rejected). The date and time of receipt are stamped on the document or otherwise permanently associated with the record maintained for a UCC document in the UCC information management system.
 - 2) Courier delivery, at the UCC Division's street address. The file time for a UCC record delivered by this method is, notwithstanding the time of delivery, the next close of business following the time of delivery (even though the UCC record may not yet have been accepted for filing and may be subsequently rejected). The date and time of receipt are stamped on the document or otherwise permanently associated with the record maintained for a UCC document in the UCC information management system. A UCC record delivered after regular business hours or on a day the filing office is not open for business, if not examined for processing sooner, will have a filing time of the close of business on the next day the filing office is open for business.
 - 3) Postal service delivery, to the filing office's mailing address. The file time for a UCC record delivered by this method is the next close of business following the time of delivery (even though the UCC record may not yet have been accepted for filing and may be subsequently rejected). The date and time of receipt are stamped on the document or otherwise permanently associated with the record maintained for a UCC document in the UCC information management system. A UCC record delivered after regular business hours or on a day the filing office is not open for business will have a filing time of the close of business on the next day the filing office is open for business.
 - 4) The Secretary of State offers online information and electronic filing and search services through the website of the Secretary of State at www.cyberdriveillinois.com. The file time for a UCC document delivered by this method is the time that the Secretary of State's system analyzes the relevant transmission and determines that all the required elements of the transmission have been received in a required format and are machine-readable.
 - 5) The UCC Division filing office hours.
 - A) The UCC Division business hours for personal delivery, courier delivery and postal service delivery are 8:00 a.m. to 4:30 p.m., Monday through Friday, except holidays, in Springfield only.
 - B) Electronic filing and search services are available 24 hours per day, 365 days per year, except for scheduled maintenance and unscheduled interruptions of service.

6) The office address is Howlett Building, Room 350 West, 501 South Second Street, Springfield IL 62756. All incorporated materials and forms referenced in this Part are available to the public for inspection and copying at this address.

b) UCC search requests may be delivered to the filing office by any of the means by which UCC records may be delivered to the filing office. A search request for a debtor named on an initial financing statement may not be made on the initial financing statement form, even if the form has a space for that request. Search requests must be made on the UCC-11 form approved by the International Association of Commercial Administrators, as incorporated by reference in Section 180.12 of this Part.

(Source: Amended at 31 Ill. Reg. 8559, effective June 15, 2007)

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SECTION 180.12 FORMS

Section 180.12 Forms

The forms prescribed by Section 9-521 of the UCC [810 ILCS 5/9-521] shall be accepted by the filing office. Forms approved by the International Association of Commercial Administrators (IACA) on or prior to July 1, 2006 and forms approved by the UCC Division shall be accepted. Copies of the forms approved by IACA as of July 1, 2006 are available on the Secretary of State's website at www.cyberdriveillinois.com, on IACA's website at www.iaca.org and at IACA, 3851 Essen Lane, Baton Rouge LA 70816. The incorporations of forms in this Section do not include any later amendments or editions.

- a) In order to insure the legibility after records are scanned into the imaging system of the UCC Division, the information on each record submitted shall be typewritten or computer generated typeface. The names and addresses of the debtor and the secured party shall be in capital letters with a font size of at least 12 in Times New Roman style.
- b) The remitter shall submit two copies of each record, along with a self-addressed stamped envelope. The UCC Division shall retain one copy for its records and return one copy to the remitter as an acknowledgement. If only one copy is submitted, it will be stamped "No Acknowledgement Received" and the UCC Division will retain that copy for its records. There will be no acknowledgement copy returned to the remitter.
- c) All UCC records must contain the full legal name of the debtor and indicate whether the debtor is an individual or an organization. If the debtor is an organization, the record must include the type of organization, the jurisdiction of the organization, and the organizational identification number of the debtor. Records that do not contain this information will not be accepted for filing. The disclosure on the records of the social security number or tax identification number of the debtor is voluntary only, and records will be accepted for filing without the number. The disclosure on the records of the social security number or tax identification number of the debtor is non-required information and, due to the sensitive nature of the information, it will be redacted from the record.
- d) When submitting a UCC-3 Amendment to delete more than a single debtor name, a separate UCC-3 Amendment form must, pursuant to Section 9-512 of the UCC, be completed for each debtor name to be deleted. A separate fee must also be tendered for each UCC-3 Amendment form submitted.
- e) When submitting a UCC-3 Amendment pursuant to Section 9-512 of the UCC, only one UCC-3 Amendment type per form will be permitted. A separate fee must also be tendered for each UCC-3 Amendment form submitted.

(Source: Amended at 31 Ill. Reg. 8559, effective June 15, 2007)

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PART 180 UNIFORM COMMERCIAL CODE
SECTION 180.13 FILING FEES/METHODS OF PAYMENT/OVERPAYMENT AND UNDERPAYMENT
POLICIES

Section 180.13 Filing Fees/Methods of Payment/Overpayment and Underpayment Policies

- a) Filing Fees.
 - 1) The fee for filing and indexing a UCC record communicated in a paper-based format or electronically is \$20.
 - 2) A fee of \$20 shall be paid for an initial financing statement that indicates that it is filed in connection with a public-finance transaction and a fee of \$20 shall be paid for an initial financing statement that indicates that it is filed in connection with a manufactured-home transaction.
 - 3) UCC search fee. The fee for a UCC search request communicated on paper or in a paper-based format is \$10 per name searched.
 - 4) UCC search – copies. The fee for UCC search copies is \$1 per page.
- b) Methods of Payment. Filing fees and fees for public records services may be paid by the following methods:
 - 1) Cash. Payment in cash shall be accepted, if paid in person at the filing office.
 - 2) Checks. Personal checks, cashier's checks and money orders made payable to the filing office shall be accepted for payment if they are drawn on a bank acceptable to the filing office or if the drawer is acceptable to the filing office. Checks made payable to the filing office are acceptable to the filing office if drawn on a bank insured by the Federal Deposit Insurance Corporation (FDIC), the Federal Savings and Loan Insurance Corporation (FSLIC), or the National Credit Union Association (NCUA).
 - 3) Electronic funds transfer. The filing office may accept payment via electronic funds transfer under National Automated Clearing House Association (NACHA) rules from remitters who have entered into appropriate NACHA-approved arrangements for the EFT and who authorize the relevant transfer pursuant to the arrangements and rules. NACHA rules are available at NACHA, 13665 Dulles Technology Drive, Suite 300, Herndon VA 20171. The NACHA rules were effective as of January 1, 2001 and do not include any later amendments or editions.
 - 4) Credit cards. The UCC Division shall accept payment by credit cards issued by approved issuers. Remitters shall provide the filing officer with the card number, the expiration date of the card, the name of the card issuer, the name of the person or entity to whom the card was issued, the daytime telephone number of the remitter and the billing address for the card. Payment will not be deemed tendered until the issuer or its agent has confirmed payment. A current list of approved credit card issuers is available from the filing office.

- 5) Debit cards. The UCC Division shall accept payment by debit cards issued by approved issuers (e.g., Visa, MasterCard). Remitters shall provide the filing officer with the card number, the expiration date of the card, the name of the card issuer, the name of the person or entity to whom the card was issued, the daytime telephone number of the remitter and the billing address for the card. Payment will not be deemed tendered until the issuer or its agent has confirmed payment. A current list of approved debit card issuers is available from the filing office.
- c) Overpayment and Underpayment Policies.
- 1) Overpayment. The filing officer shall refund an overpayment only upon the written request of the remitter. Requests for refund shall contain the debtor's name and address, the file number and date of filing the record for which overpayment was made. If the record for which a refund is requested is a UCC-3, the request must also include the file number of the original filing.
 - 2) Underpayment. Upon receipt of a record with an insufficient fee, the filing officer shall return the record to the remitter as provided in Section 180.15. The tendered payment shall be included with the record.

(Source: Amended at 30 Ill. Reg. 12977, effective July 11, 2006)

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SECTION 180.14 PUBLIC RECORD SERVICES

Section 180.14 Public Record Services

Public record services are provided on a non-discriminatory basis to any member of the public on the terms described in this Part. The following are made available for obtaining copies of UCC and Federal Tax Lien records and copies of data from the UCC information management system.

- a) Individually identified records. Copies of individually identified UCC and Federal Tax Lien filings are available upon request on a submitted UCC-11 information request form.
 - 1) Fees for UCC-11 information request for debtor name searched are \$10.
 - 2) Fees for Federal Tax Lien taxpayer name to be searched are \$5.
 - 3) Fees for copies of images.
 - A) Copies of UCC images are \$1 per copy page requested.
 - B) Copies of Federal Tax Lien images are \$.50 per page requested.
- b) Bulk Data File Transfer Protocol (FTP). Data file transfers are available upon written request, along with payment in advance, to the Director of the Department of Business Services.
 - 1) Full Extract. A full extract of the master file of all historical data of UCC and Federal Tax Lien data from the management system is available for a one-time fee of \$2,500 payable in advance.
 - 2) Update Extracts. A weekly update of the UCC and Federal Tax Lien data from management system is available for a fee of \$200 per week, payable in advance.
- c) CD Subscription. A written request to receive UCC and Federal Tax Lien images on CD-Rom may be submitted, along with advance payment, to the UCC Division. The CDs will be mailed to each subscriber twice each month. The first mailing will occur within four business days after the 15th of each month. The second CD mailing will occur within four business days after the last business day of each month.
 - 1) Fees for CD subscriptions are \$250 each month, payable in advance.
 - 2) Mailings may be requested to be shipped overnight at the expense of the subscriber. Express mail labels and packages must be submitted to the filing office prior to each mailing.
- d) Direct Access On-line Services. Data may be accessed through a direct link into the government database by use of an assigned Remote Access Identification Number (RAQF ID). A contract for Direct Access must be obtained from the Illinois Secretary of State Office of General Counsel.
 - 1) Fees are determined pursuant to contract (see 44 Ill. Adm. Code

2000).

- 2) Fees must be paid prior to receiving Direct Access On-line Services and are non-refundable once the Department has accepted the contract. Acceptance shall be evidenced once the contract has been signed by the Director of the Department of Business Services.
- e) New Practices and Technologies. The filing officer is authorized to adopt practices and procedures to accomplish receipt, processing, maintenance, retrieval and transmission of, and remote access to, Article 9 Part 5 of the UCC filing data by means of electronic, voice, optical and/or other technologies, and without limiting the foregoing, to maintain and operate, in addition to or in lieu of a paper-based system, a non-paper-based filing system utilizing any such technologies. In developing and utilizing technologies and practices, the filing officer shall, to the greatest extent feasible, take into account compatibility and consistency with, and, whenever possible, uniformity with, technologies, practices, policies and regulations adopted in connection with filing systems in other states.

(Source: Amended at 32 Ill. Reg. 12057, effective July 16, 2008)

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SECTION 180.15 ACCEPTANCE AND REFUSAL OF RECORDS

Section 180.15 Acceptance and Refusal of Records

- a) Role of Secretary. The duties and responsibilities of the Secretary with respect to the administration of the UCC are ministerial. In accepting for filing or refusing to file a UCC record, the Secretary does none of the following:
- 1) Determine the legal sufficiency or insufficiency of a record.
 - 2) Determine that a security interest in collateral exists or does not exist.
 - 3) Determine that information in the record is correct or incorrect, in whole or in part.
 - 4) Create a presumption that information in the record is correct or incorrect, in whole or in part.
- b) Grounds for refusal. In addition to the grounds listed in Section 9-516 of the UCC [810 ILCS 5/9-516], allowing the filing officer to refuse a UCC record, the filing officer shall refuse a UCC record if the record contains more than one secured party or assignee name or address and some names or addresses are missing or illegible, or no address is given in the address field. As used in this Section, address is deemed to include street address, city, state and postal code.
- 1) Deadline for filing a continuation statement. The first day on which a continuation statement may be filed is the date corresponding to the date upon which the financing statement would lapse, six months preceding the month in which the financing statement would lapse. If there is no such corresponding date, the first day on which a continuation may be filed is the last day of the sixth month preceding the month in which the financing statement would lapse.
 - 2) Last day permitted. The last day on which a continuation statement may be filed is the last business day of maturity before the lapse date of the UCC. If the last business day on which the UCC matures falls on a holiday or weekend, the filing office must receive the continuation on the last business day prior to the lapse date.
- c) Procedure upon refusal. Except as provided in Section 180.13 of this Part, if the filing officer finds grounds to refuse a UCC record, the filing officer shall return the record to the remitter and shall return the filing fee.
- d) Notification of defects. Nothing in this Section prevents a filing officer from communicating to a filer or a remitter that the filing officer noticed apparent potential defects in a UCC record, whether or not it was filed or refused for filing. However, the filing office is under no obligation to do so and may not, in fact, have the resources to do so, or to identify such defects. The responsibility for the legal effectiveness of filing rests with filers and remitters and the filing office bears no responsibility for legal effectiveness.
- e) Refusal errors. If a secured party or a remitter demonstrates to the satisfaction of the filing officer that a UCC record that was refused for filing should not have been, the filing officer will file the UCC record with a filing date and time assigned when the filing occurs. The filing officer will also

file a filing officer statement that states the effective date and time of filing, which shall be the date and time the UCC record was originally tendered for filing.

- f) Transmitting utility rejections. If a UCC Financing Statement submitted as a Transmitting Utility is rejected because it does not meet the definitions of a Transmitting Utility under the provisions of 810 ILCS 5/9-102(80), it may be resubmitted with proper verification that a Transmitting Utility exists.
 - 1) Rejected UCCs submitted as a Transmitting Utility will be reviewed by General Counsel and the Director of the Department of Business Services to determine that a valid reason exists for the rejection.
 - 2) Upon receipt of the resubmitted UCC Financing Statement with proper verification that a Transmitting Utility exists, the submitted documents will be accepted and given the same received stamped date as the original date of filing.

(Source: Amended at 32 Ill. Reg. 12057, effective July 16, 2008)

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PART 180 UNIFORM COMMERCIAL CODE
SECTION 180.16 UCC INFORMATION MANAGEMENT SYSTEM

Section 180.16 UCC Information Management System

Policy statement. The UCC Division uses an information management system to store, index, and retrieve information relating to financing statements. The information management system includes an index of the names of debtors named on financing statements that have not lapsed. This Section describes the UCC information management system.

- a) Primary data elements. The primary data elements used in the UCC information management system are the following:
 - 1) Identification numbers.
 - A) Each initial financing statement is identified by its file number as described in Section 180.10. Identification of the initial financing statement is stamped on written UCC records or otherwise permanently associated with the record maintained for UCC records in the UCC information management system. A record is created in the information management system for each initial financing statement and all information comprising that record is maintained in the system. The record is identified by the same information assigned to the initial financing statement.
 - B) A UCC record other than an initial financing statement is identified by a unique file number assigned by the filing officer. In the information management system, records of all UCC records other than initial financing statements are linked to the record of their related initial financing statement.
 - 2) Type of record. The type of UCC record from which data is transferred is identified in the information management system from information supplied by the remitter.
 - 3) Filing date and filing time. The filing date and filing time of UCC records are stored in the information management system. Calculation of the lapse date of an initial financing statement is based upon the filing date.
 - 4) Identification of parties. The names and addresses of debtors and secured parties are transferred from UCC records to the UCC information management system using one or more data entry or transmittal techniques.
 - 5) Status of financing statement. In the information management system, each financing statement has a status of active or inactive.
 - 6) Page count. The total number of pages in a UCC record is maintained in the information management system.
 - 7) Lapse indicator. An indicator is maintained by which the information management system identifies whether a financing statement will lapse and, if it does, when it will lapse.
- b) Names of debtors who are individuals. For the purpose of this subsection, "individual" means a human being, or a decedent in the case of a debtor

that is the decedent's estate. This subsection applies to the name of a debtor or a secured party on a UCC record who is an individual.

- 1) Individual name fields. The names of individuals are stored in files that include only the names of individuals, and not the names of organizations. The filing officer assumes no responsibility for the accurate designation of the components of a name, but will accurately enter the data in accordance with the filer's designations.
 - 2) Titles and prefixes before names. Titles and prefixes, such as "doctor", "reverend", "Mr.", and "Ms.", should not be entered in the UCC information management system. However, when a UCC record is submitted with designated name fields, the data will be entered in the UCC information management system exactly as it appears.
 - 3) Titles and suffixes after names. Title or indications of status such as "M.D." and "esquire" shall not be entered in the UCC information management system. Suffixes are not part of an individual's name and should not be provided by filers in UCC records. Suffixes that indicate which individual is being named, such as "senior", "junior", "I", "II", and "III", are entered into the information management system exactly as received.
 - 4) Truncation – individual names. Personal name fields in the UCC database are fixed in length. Although filers should continue to provide full names on their UCC records, a name that exceeds the fixed length is entered as presented to the filing officer, up to the maximum length of the data entry field. The maximum length of the data entry name field is 64 characters.
- c) Names of debtors that are organizations. This subsection applies to the name of an organization that is a debtor or a secured party on a UCC record.
- 1) Single field. The names of organizations are stored in files that include only the names of organizations and not the names of individuals. A single field is used to store an organization name.
 - 2) Truncation – organization names. The organization name field in the UCC database is fixed in length. The maximum length is 200 characters. Although filers should continue to provide full names on their UCC record or records, a name that exceeds the fixed length is entered as presented to the filing officer, up to the maximum length of the data entry field.
- d) Estates. Although they are not human beings, estates are treated as if the decedent were the debtor under Section 180.16(b).
- e) Trusts. If the trust is named in its organic records, its full legal name, as set forth in those records is used. Those trusts are treated as organizations. If the trust is not so named, the name of the settlor is used. If a settlor is indicated to be an organization, the name is treated as an organization name. If the settlor is an individual, the name is treated as an individual name. A UCC record that uses a settlor's name should include other information provided by the filer to distinguish the debtor trust from other trusts having the same settlor and all financing statements filed against trusts or trustees acting with respect to property held in trust should indicate the nature of the debtor. If this is done in, or as part of, the name of the debtor, it will be entered as if it were a part of the name.
- f) Initial financing statement. Upon the filing of an initial financing statement the status of the parties and the status of the financing statement shall be as follows:

- 1) Status of secured party. Each secured party named on an initial financing statement shall be a secured party of record, except that if the UCC record names an assignee, the secured party/assignor shall not be a secured party of record and the secured party/assignee shall be a secured party of record.
 - 2) Status of debtor. The status of a debtor named on the record shall be active and shall continue as active until one year after the financing statement lapses.
 - 3) Status of financing statement. The status of the financing statement shall be active. A lapse date shall be calculated, five years from the file date, unless the initial financing statement indicates that it is filed with respect to a public-financing transaction or a manufactured-home transaction, in which case the lapse date shall be 30 years from the file date, or, if the initial financing statement indicates that it is filed against a transmitting utility, there shall be no lapse date. A financing statement remains active until one year after it lapses, or, if it is indicated to be filed against a transmitting utility, until one year after it is terminated with respect to all secured parties of record.
- g) Amendment. Upon the filing of an amendment, the status of the parties and the status of the financing statement shall be as follows:
- 1) Status of secured party and debtor. An amendment shall affect the status of its debtors and secured parties as follows:
 - A) Collateral amendment or address change. An amendment that amends only the collateral description or one or more addresses has no effect upon the status of any debtor or secured party. If a statement of amendment is authorized by less than all of the secured parties (or, in the case of an amendment that adds collateral, less than all of the debtors), the statement affects only the interests of each authorizing secured party (or debtor).
 - B) Debtor name change. An amendment that changes a debtor's name has no effect on the status of any debtor or secured party, except that the related initial financing statement and all UCC records that include an identification of the initial financing statement shall be cross-indexed in the UCC information management system, so that a search under either the debtor's old name or the debtor's new name will reveal the initial financing statement and the related UCC records. The statement of amendment affects only the rights of its authorizing secured parties.
 - C) Secured party name change. An amendment that changes the name of a secured party has no effect on the status of any debtor or any secured party, but the new name is added to the index as if it were a new secured party of record.
 - D) Addition of a debtor. An amendment that adds a new debtor name has no effect upon the status of any party to the financing statement, except the new debtor name shall be added as a new debtor on the financing statement. The addition shall affect only the rights of the secured parties authorizing the statement of amendment.
 - E) Addition of a secured party. An amendment that adds a new secured party shall not affect the status of any party to the financing statement, except that the new secured party name

shall be added as a new secured party on the financing statement.

- F) Deletion of a debtor. An amendment that deletes a debtor has no effect on the status of any party to the financing statement, even if the amendment purports to delete all debtors.
 - G) Deletion of a secured party. An amendment that deletes a secured party of record has no effect on the status of any party to the financing statement, even if the amendment purports to delete all secured parties of record.
- 2) Status of financing statement. An amendment shall have no effect upon the status of the financing statement, except that a continuation may extend the period of effectiveness of a financing statement.
- h) Assignment of powers of secured party of record.
 - 1) Status of the parties. An assignment shall have no effect on the status of the parties to the financing statement, except that each assignee named in the assignment shall become a secured party of record.
 - 2) Status of financing statement. An assignment shall have no effect upon the status of the financing statement.
 - i) Continuation. Status of parties upon filing a continuation.
 - 1) Continuation of lapse date. Upon the timely filing of one or more continuations by any secured parties of record, the lapse date of the financing statement shall be postponed for five years.
 - 2) Status of parties. The filing of a continuation shall have no effect upon the status of any party to the financing statement.
 - 3) Status of financing statement. Upon the filing of a continuation statement, the status of the financing statement remains active.
 - j) Termination. Status of parties upon filing a termination.
 - 1) Status of parties. The filing of a termination shall have no effect upon the status of any party to the financing statement.
 - 2) Status of financing statement. A termination shall have no effect upon the status of the financing statement. The financing statement shall remain active in the information management system until one year after it lapses, unless the termination relates to a financing statement that indicates it is filed against a transmitting utility, in which case the financing statement will become inactive one year after it is terminated with respect to all secured parties of record.
 - k) Correction statement.
 - 1) Status of parties. The filing of a correction statement shall have no effect upon the status of any party to the financing statement.
 - 2) Status of financing statement. A correction statement shall have no effect upon the status of the financing statement.
 - l) Procedure upon lapse. If there is no timely filing of a continuation with respect to a financing statement, the financing statement lapses on its lapse date, but no action is then taken by the filing office. On the first

anniversary of the lapse date, the information management system renders, or is caused to render, the financing statement inactive and the financing statement will no longer be made available to searchers, unless inactive statements are requested by the searcher and the financing statement is still retrievable by the information management system.

(Source: Amended at 30 Ill. Reg. 12977, effective July 11, 2006)

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SUBTITLE A: REGULATION OF BUSINESS
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PART 180 UNIFORM COMMERCIAL CODE
SECTION 180.17 FILING AND DATA ENTRY PROCEDURES

Section 180.17 Filing and Data Entry Procedures

- a) Errors of the filing office. The filing officer may correct the errors of filing office personnel in the UCC information management system at any time. If the correction occurs after the filing officer has issued a certification date, the filing officer shall file a filing officer correction statement in the UCC information management system identifying the record to which it relates and the date of the correction and explaining the nature of the corrective action taken. The record shall be preserved as long as the record of the initial financing statement is preserved in the UCC information management system.
 - 1) In the case of a data entry error that caused the record in the UCC information management system to be different from the originally submitted document, the record indexed in the management system will be corrected to correspond with the originally submitted record.
 - 2) In the case of an error on the part of the filer that is noticed after a certification date has been issued, the filing office is under no obligation to make the corrections. It is the responsibility of the filer to correct any errors pursuant to Sections 9-511, 9-512 and 9-518 of the UCC [810 ILCS 5/9-511, 9-512 and 9-518].
- b) Data entry of names – designated fields. A filing should designate whether a name is a name of an individual or an organization. If the name is that of an individual, the first, middle and last names and any suffix shall be given.
 - 1) Organization names. Organization names are entered into the UCC information management system exactly as set forth in the UCC record, even if it appears that multiple names are set forth in the record, or if it appears that the name of an individual has been included in the field designated for an organization name.
 - 2) Individual names. On a form that designates separate fields for first, middle, and last names and any suffix, the filing officer enters the names into the field, last name first, then first name, middle name, and any suffix in the UCC information management system exactly as set forth on the form.
 - 3) Designated fields encouraged. The filing office encourages the use of forms that designate separate fields for individual and organization names and separate fields for first, middle, and last names and any suffix. Such forms diminish the possibility of filing office error and help assure that filers' expectations are met. However, filers should be aware that the inclusion of names in an incorrect field or failure to transmit names accurately to the filing office may cause filings to be ineffective.
- c) Notice of bankruptcy. The filing officer shall take no action upon receipt of a notification, formal or informal, of a bankruptcy proceeding involving a debtor named in the UCC information management system.

(Source: Amended at 31 Ill. Reg. 8559, effective June 15, 2007)

TITLE 14: COMMERCE
SUBTITLE A: REGULATION OF BUSINESS
CHAPTER I: SECRETARY OF STATE
PART 180 UNIFORM COMMERCIAL CODE
SECTION 180.18 SEARCH REQUESTS AND REPORTS

Section 180.18 Search Requests and Reports

General requirements. The filing officer maintains for public inspection a searchable index for all records of UCC documents. The index shall provide for the retrieval of a record by the name of the debtor and by the file number of the initial financing statement of each filed UCC record relating to the initial financing statement.

- a) Search requests. Search requests shall contain the following information:
- 1) Name searched. A search request should set forth the name of the debtor to be searched and must specify whether the debtor is an individual or an organization. A search request will be processed using the name in the exact form it is submitted. Each search request shall be limited to one debtor name.
 - 2) Requesting party. The name and address of the person to whom the search report is to be sent.
 - 3) Fee. The appropriate fee shall be enclosed, payable by a method described in Section 180.13 of this Part.
 - 4) Search request with filing. If a filer requests a search at the time a UCC record is filed, a UCC-11 form designating the exact debtor name from the initial financing statement shall be submitted. The requesting party shall be the name and address to whom the search report should be sent, and the search request shall be deemed to request a search that would retrieve all financing statements filed on or prior to the date the UCC record is filed. The filer shall submit the search request on a UCC-11 form.
- b) Rules applied to search requests. Search results are produced by the application of standardized search logic to the name presented to the filing officer. Human judgment does not play a role in determining the results of the search. The following rules apply to searches:
- 1) There is no limit to the number of matches that may be returned in response to the search criteria.
 - 2) No distinction is made between upper and lower case letters.
 - 3) Punctuation marks and accents are disregarded.
 - 4) Words and abbreviations at the end of a name that indicate the existence or nature of an organization as set forth in the "Ending Noise Words" list as promulgated and adopted by the International Association of Commercial Administrators are disregarded. Such words include, but are not limited to, the following:

Agency	Incorporated	PLCC
Trustee	LC	Prof Assn
Assc	Limited	Prof Corp
Assn	Limited Liability Company	Professional Association
Assoc		
Associates	Limited Liability Partnership	Professional Corporation
Association		

Attorneys at Law	Limited Partnership	Professional Limited Liability Company
Bank		
Business Trust	LLC	
Charter	LLLP	
Chartered	LLP	Real Estate Investment Trust
Co	LP	Registered Limited Liability Partnership
Company	Ltd.	
Corp	Ltd. Partnership	
Corporation	MDPA	
Credit Union	MDPC	
CU	Medical Doctors Professional Association	REIT
FCU		RLLP
Federal Credit Union		SA
Federal Savings Bank	Medical Doctors Professional Corporation	Savings Association
FSB	NA	Sole Proprietorship
Gen Part	National Association	SP
General Partnership		SPA
	National Bank	Trust
GP	PA	Trustee
Inc	Partners	

- 5) The word "the" if used anyplace in the search criteria is disregarded.
 - 6) All spaces are disregarded.
 - 7) For first and middle names of individuals, initials are treated as the logical equivalent of all names that begin with such initials, and first name and no middle name or initial is equated with all middle names and initials. For example, a search request for "John A. Smith" would cause the search to retrieve all filings against all individual debtors with "John" or the initial "J" as the first name, "Smith" as the last name, and with the initial "A" or any name beginning with "A" in the middle name field. If the search were for "John Smith" (first and last names with no designation in the middle name field), the search would retrieve all filings against individual debtors with "John" or the initial "J" as the first name, "Smith" as the last name and with any name or initial or no name or initial in the middle name field.
 - 8) After using the preceding rules to modify the name to be searched, the search will reveal only names of debtors that are contained in unexpired financing statements and exactly match the name requested, as modified.
- c) Optional information. A UCC search request may contain any of the following information:
- 1) The request may limit the records requested by limiting them by the address of the debtor, the city of the debtor, the date of filing (or a range of filing dates) on the financing statements. A report created by the filing officer in response to such a request shall contain the statement "A limited search may not reveal all filings against the debtor searched and the searcher bears the risk of relying on such a search".
 - 2) The request may ask for copies of UCC records identified on the

primary search response.

- 3) Instructions on the mode of delivery desired, if other than by ordinary mail, which will be honored if the requested mode is available to the filing office.
- d) Search responses. Reports created in response to a search request shall include the following:
- 1) Filing officer. Identification of the filing officer and the certification of the filing officer required by law.
 - 2) Report date. The date the report was generated.
 - 3) Name searched. Identification of the name searched.
 - 4) Certification date. The certification date and time for which the search is effective.
 - 5) Identification of initial financing statements. Identification of each unexpired initial financing statement filed on or prior to the certification date and time corresponding to the search criteria, by name of debtor, by identification number, and by file date and file time.
 - 6) History of financing statement. For each initial financing statement on the report, a listing of all related UCC records filed by the filing officer on or prior to the certification date.
 - 7) Copies. Copies of all UCC records revealed by the search and requested by the searcher.

(Source: Amended at 31 Ill. Reg. 8559, effective June 15, 2007)

TITLE 14: COMMERCE
SUBTITLE A: REGULATION OF BUSINESS
CHAPTER I: SECRETARY OF STATE
PART 180 UNIFORM COMMERCIAL CODE
SECTION 180.19 XML DOCUMENTS

Section 180.19 XML Documents

- a) IACA standard adopted. The XML Format as adopted by the International Association of Commercial Administrators shall be adopted in Illinois for electronic transmission of UCC records. An E-filing account must be created before submitting an XML filing. The electronic filing shall pass verification to the DTD (Document Type Definition). Failure to pass this verification shall result in rejection of the record pursuant to Section 9-516 of the UCC [810 ILCS 5/9-516].
- b) Implementation guide. The filing office shall publish an implementation guide that prescribes the use of the XML Format. The guide shall be available to the public upon request.
- c) Direct on-line data entry procedures. Upon application and approval of an E-filing account, the remitter shall receive direct on-line data entry procedures to file UCC records on-line. Persons interested in filing records in this manner shall contact the UCC Division at the address listed in Section 180.11 of this Part.

(Source: Added at 31 Ill. Reg. 8559, effective June 15, 2007)