

RÉSUMÉ DIGEST

ACT 217 (SB 140)

2020 Regular Session

Reese

Prior law provided for the duties of the filing office, as defined in the Uniform Commercial Code (R.S. 10:9-501), which includes:

- (1) The Department of Public Safety and Corrections, office of motor vehicles, if the collateral for a secured transaction is a titled motor vehicle not held as inventory for sale or lease.
- (2) The Department of Wildlife and Fisheries, if the collateral for a secured transaction is a titled vessel valued in excess of \$2,500 and required to be numbered, or a titled outboard motor, and such vessel or motor is to be principally operated on the waters of this state, not held as inventory for sale or lease, and transferred for the first time on or after July 1, 2008.
- (3) The clerk of court of any parish, in all other cases, including when the collateral is as-extracted collateral or goods that are to become fixtures and the financing statement is filed as a fixture filing.

New law retains prior law and specifies that the clerk of court is the designated filing office. Requires the filing office to notify the secretary of state, or his designee, within 24 hours following the discovery of a cyber incident that impacts the filing office, including but not limited to a computer system maintained by the secretary of state.

Prior law provided for the powers and duties of registrars of voters.

New law retains prior law and requires the registrar to notify the secretary of state, or his designee, within 24 hours following the discovery of a cyber incident that impacts the office of the registrar, including but not limited to a computer system maintained by the secretary of state.

Prior law provided for the powers and duties of clerks of court as the chief election officer of the parish.

New law retains prior law and requires the clerk of court to notify the secretary of state, or his designee, within 24 hours following the discovery of a cyber incident that impacts the office of the clerk of court, including but not limited to a computer system connected to or maintained by the secretary of state.

New law defines "cyber incident" as an event that may jeopardize the confidentiality, integrity, or availability of digital information or information systems.

Effective August 1, 2020.

(Adds R.S. 10:9-528 and R.S. 18:58(D) and 429)