

STATE OF COLORADO

Department of State

1700 Broadway
Suite 200
Denver, CO 80290



Scott Gessler
Secretary of State

Mike Hardin
Business & Licensing Division

Memorandum

To: Interested Persons

From: Scott Gessler, Colorado Secretary of State

Subject: Annual Report of the Secretary of State to the Governor and Legislature on the Operation of the Filing Office pursuant to section 4-9-527, C.R.S.

Date: June 26, 2014

Attached is the above-captioned Annual Report due on or before June 30.

In accordance with section 4-9-527, C.R.S., the Secretary of State's office is delivering one copy of this report to the Governor of the State of Colorado.

Further, in accordance with sections 4-9-527 and 24-1-136 (9), C.R.S., the Secretary of State's office is delivering copies of this Annual Report to the General Assembly by filing:

1. One electronic copy with the Colorado Joint Legislative Library via email directed to lcs.ga@state.co.us; and
2. Four hard copies with the State Librarian for the State Publications Depository and Distribution Center.

For further information, contact Mike Hardin, Director, Business and Licensing Division, Colorado Secretary of State's Office, at (303) 860-6918 or mike.hardin@sos.state.co.us.

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Annual Report to the Governor and General Assembly of the State of Colorado

From the Colorado Secretary of State

On the Operation of the Filing Office

Greetings to the Governor and Legislature of the State of Colorado:

I, Scott Gessler, Colorado Secretary of State, make the following report to the Governor and General Assembly of the State of Colorado as required by Article 9 of Colorado's Uniform Commercial Code (UCC)¹:

A. Responsibility. The Business and Licensing Division of the Secretary of State's office is a UCC filing office. The Secretary of State's duties under the UCC are to file and index financing statement records, manage and maintain those records, make those records accessible and searchable, issue search reports, and provide certified copies and certificates.² Under the UCC, the Secretary of State is required to report whether Colorado's UCC Filing Office Rules (8 CCR 1505-7) are in harmony with other jurisdictions and the International Association of Commercial Administrators' (IACA) Model Administrative Rules.³

B. Colorado Rules. Colorado's UCC Filing Office Rules are in substantial harmony with the filing office rules of other jurisdictions and the most recent version of IACA's Model Administrative Rules. The only exception is that Colorado's rules mandate electronic filing, searching, and certification of records. Electronic filing, searching, and certification increases efficiency, reduces time delays, allows for reallocation of staff resources, and eliminates filing office errors often experienced with processing paper documents. Filers prefer the flexibility and efficiency of electronic filing over paper-based filings. The Business and Licensing Division has historically received a positive response from filers for other electronically mandated transactions. Based on this information the decision to mandate electronic filing, searching and certification was made with the deployment of a redesigned UCC filing and searching system.

Sincerely,

Scott Gessler
Colorado Secretary of State
June 26, 2014

¹ § 4-9-527, C.R.S. (2013).

² See Part 5 of Article 9 of Title 4, C.R.S.

³ § 4-9-527, C.R.S. (2013).