

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1013

Chapter 395, Laws of 1993

53rd Legislature
1993 Regular Session

UNIFORM COMMERCIAL CODE--BULK SALES ARTICLE REPEALED

EFFECTIVE DATE: 7/25/93

Passed by the House April 20, 1993
Yeas 97 Nays 0

BRIAN EBERSOLE
**Speaker of the
House of Representatives**

Passed by the Senate April 16, 1993
Yeas 45 Nays 0

JOEL PRITCHARD
President of the Senate

Approved May 15, 1993

MIKE LOWRY
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1013** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

May 15, 1993 - 1:10 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1013

AS AMENDED BY THE SENATE

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Appelwick and Riley)

Read first time 02/02/93. Referred to Committee on .

1 AN ACT Relating to the Uniform Commercial Code--Bulk Sales;
2 amending RCW 62A.1-105 and 62A.2-403; and repealing RCW 62A.6-101,
3 62A.6-102, 62A.6-103, 62A.6-104, 62A.6-105, 62A.6-106, 62A.6-107,
4 62A.6-108, 62A.6-109, 62A.6-110, 62A.6-111, and 62A.9-111.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 6-101** The following acts or parts of acts are
7 repealed:

8 (1) RCW 62A.6-101 and 1965 ex.s. c 157 s 6-101;

9 (2) RCW 62A.6-102 and 1967 c 114 s 2 & 1965 ex.s. c 157 s 6-102;

10 (3) RCW 62A.6-103 and 1965 ex.s. c 157 s 6-103;

11 (4) RCW 62A.6-104 and 1975 1st ex.s. c 278 s 33 & 1965 ex.s. c 156
12 s 6-104;

13 (5) RCW 62A.6-105 and 1971 c 23 s 1 & 1965 ex.s. c 157 s 6-105;

14 (6) RCW 62A.6-106 and 1965 ex.s. c 157 s 6-106;

15 (7) RCW 62A.6-107 and 1975 1st ex.s. c 278 s 34 & 1965 ex.s. c 157
16 s 6-107;

17 (8) RCW 62A.6-108 and 1965 ex.s. c 157 s 6-108;

18 (9) RCW 62A.6-109 and 1967 c 114 s 3 & 1965 ex.s. c 157 s 6-109;

19 (10) RCW 62A.6-110 and 1965 ex.s. c 157 s 6-110;

1 (11) RCW 62A.6-111 and 1965 ex.s. c 157 s 6-111; and

2 (12) RCW 62A.9-111 and 1965 ex.s. c 157 s 9-111.

3 **Sec. 6-102.** RCW 62A.1-105 and 1981 c 41 s 1 are each amended to
4 read as follows:

5 (1) Except as provided hereafter in this section, when a
6 transaction bears a reasonable relation to this state and also to
7 another state or nation the parties may agree that the law either of
8 this state or of such other state or nation shall govern their rights
9 and duties. Failing such agreement this Title applies to transactions
10 bearing an appropriate relation to this state.

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

15 Rights of creditors against sold goods. RCW 62A.2-402.

16 Applicability of the Article on Bank Deposits and Collections. RCW
17 62A.4-102.

18 (~~Bulk transfers subject to the Article on Bulk Transfers. RCW~~
19 ~~62A.6-102.~~)

20 Applicability of the Article on Investment Securities. RCW 62A.8-
21 106.

22 Perfection provisions of the Article on Secured Transactions. RCW
23 62A.9-103.

24 **Sec. 6-103.** RCW 62A.2-403 and 1967 c 114 s 8 are each amended to
25 read as follows:

26 (1) A purchaser of goods acquires all title which his or her
27 transferor had or had power to transfer except that a purchaser of a
28 limited interest acquires rights only to the extent of the interest
29 purchased. A person with voidable title has power to transfer a good
30 title to a good faith purchaser for value. When goods have been
31 delivered under a transaction of purchase the purchaser has such power
32 even though

33 (a) the transferor was deceived as to the identity of the
34 purchaser, or

35 (b) the delivery was in exchange for a check which is later
36 dishonored, or

37 (c) it was agreed that the transaction was to be a "cash sale".

1 (2) Any entrusting of possession of goods to a merchant who deals
2 in goods of that kind gives him or her power to transfer all rights of
3 the entruster to a buyer in ordinary course of business.

4 (3) "Entrusting" includes any delivery and any acquiescence in
5 retention of possession regardless of any condition expressed between
6 the parties to the delivery or acquiescence and regardless of whether
7 the procurement of the entrusting or the possessor's disposition of the
8 goods have been such as to be larcenous under the criminal law.

9 (4) The rights of other purchasers of goods and of lien creditors
10 are governed by the Articles on Secured Transactions (Article 9)((~~7~~
11 ~~Bulk Transfers (Article 6)~~)) and Documents of Title (Article 7).

Passed the House April 20, 1993.

Passed the Senate April 16, 1993.

Approved by the Governor May 15, 1993.

Filed in Office of Secretary of State May 15, 1993.