

2 **SHB 1013** - S COMM AMD
3 By Committee on Law & Justice

4 ADOPTED 4/16/93

5 Strike everything after the enacting clause and insert the
6 following:

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8 repealed:

- 9 (1) RCW 62A.6-101 and 1965 ex.s. c 157 s 6-101;
10 (2) RCW 62A.6-102 and 1967 c 114 s 2 & 1965 ex.s. c 157 s 6-102;
11 (3) RCW 62A.6-103 and 1965 ex.s. c 157 s 6-103;
12 (4) RCW 62A.6-104 and 1975 1st ex.s. c 278 s 33 & 1965 ex.s. c 156
13 s 6-104;
14 (5) RCW 62A.6-105 and 1971 c 23 s 1 & 1965 ex.s. c 157 s 6-105;
15 (6) RCW 62A.6-106 and 1965 ex.s. c 157 s 6-106;
16 (7) RCW 62A.6-107 and 1975 1st ex.s. c 278 s 34 & 1965 ex.s. c 157
17 s 6-107;
18 (8) RCW 62A.6-108 and 1965 ex.s. c 157 s 6-108;
19 (9) RCW 62A.6-109 and 1967 c 114 s 3 & 1965 ex.s. c 157 s 6-109;
20 (10) RCW 62A.6-110 and 1965 ex.s. c 157 s 6-110;
21 (11) RCW 62A.6-111 and 1965 ex.s. c 157 s 6-111; and
22 (12) RCW 62A.9-111 and 1965 ex.s. c 157 s 9-111.

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

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

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

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

1 Applicability of the Article on Bank Deposits and Collections. RCW
2 62A.4-102.

3 ((Bulk transfers subject to the Article on Bulk Transfers. RCW
4 62A.6-102.))

5 Applicability of the Article on Investment Securities. RCW 62A.8-
6 106.

7 Perfection provisions of the Article on Secured Transactions. RCW
8 62A.9-103.

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

11 (1) A purchaser of goods acquires all title which his or her
12 transferor had or had power to transfer except that a purchaser of a
13 limited interest acquires rights only to the extent of the interest
14 purchased. A person with voidable title has power to transfer a good
15 title to a good faith purchaser for value. When goods have been
16 delivered under a transaction of purchase the purchaser has such power
17 even though

18 (a) the transferor was deceived as to the identity of the
19 purchaser, or

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

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

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

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

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

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4 On page 1, line 1 of the title, after "Sales;" strike the remainder
5 of the title and insert "amending RCW 62A.1-105 and 62A.2-403; and
6 repealing RCW 62A.6-101, 62A.6-102, 62A.6-103, 62A.6-104, 62A.6-105,
7 62A.6-106, 62A.6-107, 62A.6-108, 62A.6-109, 62A.6-110, 62A.6-111, and
8 62A.9-111."

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