S T A T E O F N E W Y O R K

2044

2011-2012 Regular Sessions

I N S E N A T E

January 18, 2011

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the uniform commercial code, in relation to the lien of a warehouseman

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 7-209 of the uniform commercial code is amended by adding a new subsection 5 to read as follows:

(5) THE LIEN PROVIDED BY THIS SECTION IS SUPERIOR TO ANY OTHER SECURITY INTEREST. THE LIEN ATTACHES AS OF THE DATE THE WAREHOUSE RECEIPT COVERING THE GOODS IS ISSUED BY THE WAREHOUSEMAN.

S 2. Subsection 3 of section 7-209 of the uniform commercial code is amended to read as follows:

(3) A warehouseman's lien for charges and expenses under subsection (1) or a security interest under subsection (2) is also effective against any person who so entrusted the bailor with possession of the goods that a pledge of them by him to a good faith purchaser for value would have been valid [but is not effective against a person as to whom the document confers no right in the goods covered by it under Section 7--503].

S 3. This act shall take effect on the first of September next succeeding the date on which it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD07433-01-1