

AN ACT

ENTITLED, An Act to revise certain provisions of the Uniform Commercial Code relating to nonnegotiable instruments.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That subsection (i) of § 57A-9-105 be amended to read as follows:

- (i) "Instrument" means a negotiable instrument (defined in § 57A-3-104), or a certificated security (defined in § 57A-8-102), a writing that would otherwise qualify as a certificate of deposit as defined in subsection (j) of § 57A-3-104 but for the fact that the writing contains a limitation on transfer, or any other writing which evidences a right to the payment of money and is not itself a security agreement or lease and is of a type which is in ordinary course of business transferred by delivery with any necessary endorsement or assignment;

Section 2. That subsection (d) of § 57A-3-110 be amended to read as follows:

(d) If an instrument is payable to two or more persons alternatively, it is payable to any of them and may be negotiated, discharged, or enforced by any or all of them in possession of the instrument. If an instrument is payable to two or more persons not alternatively, it is payable to all of them and may be negotiated, discharged, or enforced only by all of them. If an instrument payable to two or more persons is ambiguous as to whether it is payable to the persons alternatively, the instrument is payable to the persons alternatively. For the purposes of this subsection, the term, instrument, includes a writing that would otherwise qualify as a certificate of deposit but for the fact that the writing contains a limitation on transfer.

An Act to revise certain provisions of the Uniform Commercial Code relating to nonnegotiable instruments.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1072

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1072
File No. _____
Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,

19__ at ____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 19__

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 19__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State