**§9-1338. Priority of security interest or agricultural lien perfected by filed financing statement providing certain incorrect information**

**(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)**

If a security interest or agricultural lien is perfected by a filed financing statement providing information described in section 9‑1516, subsection (2), paragraph (e) that is incorrect at the time the financing statement is filed: [PL 1999, c. 699, Pt. A, §2 (NEW); PL 1999, c. 699, Pt. A, §4 (AFF).]

**(1).**  The security interest or agricultural lien is subordinate to a conflicting perfected security interest in the collateral to the extent that the holder of the conflicting security interest gives value in reasonable reliance upon the incorrect information; and

[PL 1999, c. 699, Pt. A, §2 (NEW); PL 1999, c. 699, Pt. A, §4 (AFF).]

**(2). (TEXT EFFECTIVE UNTIL 7/01/25)**  A purchaser, other than a secured party, of the collateral takes free of the security interest or agricultural lien to the extent that, in reasonable reliance upon the incorrect information, the purchaser gives value and, in the case of tangible chattel paper, tangible documents, goods, instruments or a security certificate, receives delivery of the collateral.

[PL 2009, c. 324, Pt. B, §43 (AMD); PL 2009, c. 324, Pt. B, §48 (AFF).]

**(2). (TEXT EFFECTIVE 7/01/25)**  A purchaser, other than a secured party, of the collateral takes free of the security interest or agricultural lien to the extent that, in reasonable reliance upon the incorrect information, the purchaser gives value and:

(a). In the case of tangible documents, goods, instruments or a security certificate, receives possession or delivery of the collateral; and [RR 2023, c. 2, Pt. A, §19 (COR).]

(b). In the case of chattel paper, takes possession of each authoritative tangible copy of the record evidencing the chattel paper and obtains control of each authoritative electronic copy of the electronic record evidencing the chattel paper. [PL 2023, c. 669, Pt. A, §131 (NEW); PL 2023, c. 669, Pt. E, §1 (AFF).]

[RR 2023, c. 2, Pt. A, §19 (COR).]

SECTION HISTORY

PL 1999, c. 699, §A2 (NEW). PL 1999, c. 699, §A4 (AFF). PL 2009, c. 324, Pt. B, §43 (AMD). PL 2009, c. 324, Pt. B, §48 (AFF). PL 2023, c. 669, Pt. A, §131 (AMD). PL 2023, c. 669, Pt. E, §1 (AFF). RR 2023, c. 2, Pt. A, §19 (COR).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.