

VETOES

Article - Commercial Law

3-106.

(1) The sum payable is a sum certain even though it is to be paid:

(a) With stated interest, AT A STATED RATE OF INTEREST, or by stated installments; ~~for~~

(b) With stated different rates of interest before and after default or a specified date; ~~for~~

(c) With a stated discount or addition if paid before or after the date fixed for payment; ~~for~~

(d) With exchange or less exchange, whether at a fixed rate or at the current rate; or

(e) With costs of collection or an attorney's fee or both upon default.

(2) A RATE OF INTEREST THAT CANNOT BE CALCULATED BY LOOKING ONLY TO THE INSTRUMENT IS "A STATED RATE OF INTEREST" AS USED IN SUBSECTION (1) OF THIS SECTION IF THE RATE DURING ANY PERIOD IS READILY ASCERTAINABLE BY A REFERENCE IN THE INSTRUMENT TO A PUBLISHED STATUTE, REGULATION, RULE OF COURT, GENERALLY ACCEPTED COMMERCIAL OR FINANCIAL INDEX, COMPENDIUM OF INTEREST RATES, OR ANNOUNCED OR ESTABLISHED RATE OF ONE OR MORE NAMED FINANCIAL INSTITUTION.

~~(3) RENEGOTIABLE, GRADUATED, VARIABLE, ANNUITY, OR PRICE LEVEL ADJUSTED PAYMENTS ARE STATED INSTALLMENTS AS USED IN SUBSECTION (1) OF THIS SECTION IF THOSE PAYMENTS ARE PROVIDED FOR IN THE INSTRUMENT.~~

[(2)] (4) (3) Nothing in this section shall validate any term which is otherwise illegal.

3-109.

(1) An instrument is payable at a definite time if by its terms it is payable:

(a) On or before a stated date or at a fixed period after a stated date; ~~for~~

(b) At a fixed period after sight; ~~for~~

(c) At a definite time subject to any acceleration; ~~for~~

(d) At a definite time subject to extension at the option of the holder, or to extension to a further definite time at the option of the maker or acceptor or automatically upon or after a specified act or event; ~~OR~~

~~(E) BY RENEGOTIABLE, GRADUATED, VARIABLE, ANNUITY, OR PRICE LEVEL ADJUSTED PAYMENTS.~~