

(b) If an interested party so requests, the "Financing Records" provided for in the Uniform Commercial Code, § 9-402(6), shall include a notation that the instrument is recorded among the "Land [Records.] RECORDS". The instrument also shall be indexed in the general alphabetical index provided in § 3-302 OF THIS SUBTITLE. The notation and indexing have the same effect as if the instrument were recorded in full among the "Financing [Records.] RECORDS".

## DRAFTER'S NOTE:

Error: Misplaced punctuation and stylistic error in § 3-301 of the Real Property Article.

Occurred: Ch. 12, Acts of 1974.

[Subtitle 2. Statutory Real Property Lien by the State]

Subtitle 2. Trust Relationships in the Construction Industry

9-201.

(a) Any moneys paid under a contract by an owner to a contractor, or by the owner or contractor to a subcontractor for work done or materials furnished, or both, for or about a building by any subcontractor, shall be held in trust by the contractor or subcontractor, as trustee, for those subcontractors who did work or furnished materials, or both, for or about the building, for purposes of paying those subcontractors.

(b) (1) Nothing contained in this subtitle shall be construed as requiring moneys held in trust by a contractor or subcontractor under subsection (a) of this section to be placed in a separate account.

(2) If a contractor or subcontractor commingles moneys held in trust under this section with other moneys, the mere commingling of the moneys does not constitute a violation of this subtitle.

## DRAFTER'S NOTE:

Error: Obsolete subtitle preceding § 9-201 of the Real Property Article.

Occurred: Ch. 404, § 2, Acts of 1974, repealed old § 9-201. Ch. 345, Acts of 1987 added new §§ 9-201 through 9-204, inclusive, to be under the new subtitle "Subtitle 2. Trust Relationships in the Construction Industry", but did not repeal the old subtitle "Subtitle 2. Statutory Real Property Lien by the State".