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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 587

01/26/2017 Authored by Barr, R.; Fenton; Anderson, S.; Jessup; Christensen and others
The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform

1.1 A bill for an act
1.2 relating to commerce; modifying unclaimed property requirements; requiring
1.3 reports; appropriating money; amending Minnesota Statutes 2016, section 345.42,
1.4 subdivision 1, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2016, section 345.42, subdivision 1, is amended to read:

1.7 Subdivision 1. Commissioner's duty. (a) Within the calendar year next following the
1.8 year in which abandoned property has been paid or delivered to the commissioner, the
1.9 commissioner shall provide public notice of the abandoned property in the manner described
1.10 in subdivision 1a and frequency otherwise as the commissioner determines to be most
1.11 effective and efficient in communicating to the persons appearing to be owners of this
1.12 property. Public notice may include the use of print, broadcast, or electronic media. The
1.13 commissioner shall, at a minimum, expend 15 percent of the funds allocated by the legislature
1.14 to the operations of the unclaimed property division, to comply with the public notice
1.15 requirements of this subdivision section and shall report to the legislature annually on how
1.16 those funds are expended.

1.17 (b) The commissioner shall contract with a vendor to facilitate the return of abandoned
1.18 property to owners. The vendor must receive up to seven percent of the value of the
1.19 abandoned property when the abandoned property is returned to its owner. The vendor
1.20 payment must not be deducted from the abandoned property.

2.1 Sec. 2. Minnesota Statutes 2016, section 345.42, is amended by adding a subdivision to
2.2 read:

2.3 Subd. 1a. **Public notice.** (a) Public notice provided by the commissioner shall include
2.4 the following:

2.5 (1) posting on the Department of Commerce Web site a list of all persons appearing to
2.6 be owners of abandoned property. The list shall be arranged in alphabetical order by the
2.7 last name of the person and further organized by county. The list of persons must be updated
2.8 at least three times per year and must remain on the Department of Commerce Web site at
2.9 all times;

2.10 (2) publication in a qualified newspaper of a list of persons appearing to be owners of
2.11 abandoned property having a value of \$500 or more. The list must be published in the
2.12 qualified newspaper with the largest circulation in each county, and must include the names
2.13 of all persons whose last known address is within the county. The list must be published at
2.14 least once per year. The commissioner may stagger publication of the entire list of owners
2.15 by publishing a partial list at least twice, but no more than three times per year. Each qualified
2.16 newspaper that publishes the list shall, at no additional charge to the commissioner, also
2.17 post the list on its Web site or on a central Web site that can be accessed directly from the
2.18 qualified newspaper's Web site. The list must be accessible on the Web site for not less than
2.19 180 days and at no cost to the public. The qualified newspaper must include in its publication
2.20 of the list a reference to its Web site or a central Web site; and

2.21 (3) dissemination of information to persons appearing to be owners of abandoned property
2.22 through other means and media, including broadcast media, the Internet, and social media.

2.23 (b) Beginning July 1, 2017, and annually thereafter, the commissioner shall provide to
2.24 each member of the legislature a list of all persons appearing to be owners of abandoned
2.25 property whose last known address is located in the legislator's respective legislative district.

2.26 Sec. 3. **REPORT ON UNCLAIMED PROPERTY DIVISION.**

2.27 The commissioner shall report by February 15, 2018, to the chairs and ranking minority
2.28 members of the standing committees of the house of representatives and senate having
2.29 jurisdiction over commerce regarding the process owners of abandoned property must
2.30 comply with in order to file an allowed claim under Minnesota Statutes, chapter 345, and
2.31 the effectiveness of the vendor used by the commissioner to facilitate the return of the
2.32 abandoned property. The report shall include:

3.1 (1) information regarding the documentation and identification necessary for owners of
3.2 each type of abandoned property under Minnesota Statutes, chapter 345, to file an allowed
3.3 claim; and

3.4 (2) a review of the methods and effectiveness of the vendor in returning abandoned
3.5 property under Minnesota Statutes, chapter 345, to the owner.

3.6 Sec. 4. **APPROPRIATION.**

3.7 \$..... in fiscal year 2017 and \$..... in fiscal year 2018 are appropriated from the general
3.8 fund to the commissioner of commerce to fund Minnesota Statutes, section 345.42,
3.9 subdivision 1, paragraph (b).

3.10 Sec. 5. **EFFECTIVE DATE.**

3.11 Sections 1 to 4 are effective the day following final enactment.