

HOUSE BILL NO. 1187

Introduced by

Representatives Kempenich, Brandenburg, K. Koppelman

Senators J. Lee, Schaible

1 A BILL for an Act to create and enact a new subsection to section 54-11-01 of the North Dakota
2 Century Code, relating to duties of the state treasurer; to amend and reenact sections 10-15-49
3 and 47-30.1-24.1, subsection 6 of section 57-38-57, and subsections 3 and 8 of section
4 57-39.2-23 of the North Dakota Century Code, relating to abandoned property; and to repeal
5 section 15-02-05.2 of the North Dakota Century Code, relating to the administrator of
6 abandoned property.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1. AMENDMENT.** Section 10-15-49 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **10-15-49. Amounts due unknown persons.**

11 Upon liquidation of a cooperative, the assets distributable to persons who are unknown or
12 cannot be found may be reduced to cash and transferred to the ~~commissioner of university and~~
13 ~~school lands~~ administrator of unclaimed property and ~~shall~~ must be treated as abandoned and
14 unclaimed property under the escheat and abandoned property laws of the state.

15 **SECTION 2. AMENDMENT.** Section 47-30.1-24.1 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **47-30.1-24.1. Claims by state agencies - Budget section approval and report.**

18 Within one year of receipt of state agency property, the administrator shall notify the agency
19 by certified mail. The ~~commissioner of university and school lands~~ administrator shall present a
20 report to the budget section of the legislative management identifying every state agency that
21 has not submitted a claim for property belonging to that agency within one year of the receipt of
22 the date of the certified mail receipt. Upon approval of the budget section of the legislative
23 management, the agency relinquishes its right to recover its property.

1 **SECTION 3.** A new subsection to section 54-11-01 of the North Dakota Century Code is
2 created and enacted as follows:

3 Shall employ an administrator of abandoned property and other personnel as
4 necessary for the proper administration of chapter 47-30.1 and shall set the salaries,
5 within limits of legislative appropriations. All public officers shall assist the
6 administrator in carrying out the administration of chapter 47-30.1.

7 **SECTION 4. AMENDMENT.** Subsection 6 of section 57-38-57 of the North Dakota Century
8 Code is amended and reenacted as follows:

9 6. Upon request, the tax commissioner may furnish to the ~~unclaimed property division of~~
10 ~~the board of university and school lands~~administrator of abandoned property, a
11 taxpayer's name, address, and federal identification number for identifying the
12 taxpayer as the owner of an unclaimed voucher authorized by the tax commissioner or
13 to locate the apparent owner of unclaimed property as provided under chapter
14 47-30.1.

15 **SECTION 5. AMENDMENT.** Subsection 3 of section 57-39.2-23 of the North Dakota
16 Century Code is amended and reenacted as follows:

17 3. The commissioner may furnish to workforce safety and insurance, the job insurance
18 division of job service North Dakota, and the secretary of state, upon request of the
19 respective agency, a list or lists of holders of permits issued under this chapter or
20 chapter 57-40.2, together with the addresses and tax department file identification
21 numbers of those permitholders. The agency may use the list or lists only for the
22 purpose of administering the duties of the agency. The commissioner may furnish to
23 ~~the unclaimed property division of the board of university and school~~
24 ~~lands~~administrator of abandoned property, upon ~~its~~the administrator's request, the
25 name, address, and the permitholder's federal identification number for the sole
26 purpose of identifying the owner of an unclaimed voucher authorized by the
27 commissioner.

28 **SECTION 6. AMENDMENT.** Subsection 8 of section 57-39.2-23 of the North Dakota
29 Century Code is amended and reenacted as follows:

30 8. Upon request, the commissioner may furnish to the ~~unclaimed property division of the~~
31 ~~board of university and school lands~~administrator of abandoned property, a taxpayer's

1 name, address, and federal identification number for identifying the owner of an
2 unclaimed voucher authorized by the commissioner or to locate the apparent owner of
3 unclaimed property as provided under chapter 47-30.1.

4 **SECTION 7. REPEAL.** Section 15-02-05.2 of the North Dakota Century Code is repealed.