



## UNCLAIMED PROPERTY ALERT

### Missouri Passes Notification Requirements for Banking and Financial Organizations – MO SB 769

On July 5, 2018, Missouri SB 769 (the companion bill to HB 1879) was passed, which enacts new Section 447.200 RSMo.

Under the new provision, banking and financial organizations are now required to notify the person or depositor of any consumer deposit account which has been inactive for twelve or more months and to which inactivity fees apply. Notice may be delivered by first class mail with postage prepaid and marked "Address Correction Requested," or may be delivered electronically if the consumer has consented to receiving electronic disclosures.

Annual statements shall be issued to consumer accounts that are inactive for twelve or more months. A bank may charge a service fee of up to five dollars for any statement issued under this provision, provided that such fee shall be withdrawn from the inactive account.

The dormancy period of five years remains in place for accounts held with banking and financial organizations.

#### **What does this mean to you?**

For accounts that are subject to inactivity fees and have not had any activity or contact by the depositor for twelve months, banking and financial organizations must send a notification. The notice may be delivered by first class mail (with postage paid return envelope) marked "Address Correction Requested" or electronically (if the consumer has consented to receiving electronic disclosures). This notification is in addition to the state mandated due diligence letters which are

generally sent after the full dormancy period has expired.

Banking and financial organizations are also required to send annual statements for accounts that have been inactive for twelve months or more. The institution may charge up to five dollars per annual statement and the fee must be deducted from the account value. Although the state has not issued any formal guidance, it appears that if the organization chooses to send statements more frequently, the statement fee can only be charged on the annual statement.

[The full text of the bill can be found here.](#)

This article is intended for educational purposes and should not be considered legal advice. For additional questions concerning this alert, contact Dana Terry at [dterry@georgeson.com](mailto:dterry@georgeson.com) or 201-539-1998.

---

### **Review previous Unclaimed Property Alerts**

[View](#)