



UNCLAIMED PROPERTY ALERT

West Virginia proposes to define and include provisions for the escheat of U.S. savings bonds – HB 2193

On January 8, 2019 West Virginia introduced HB 2193. This bill proposes to amend the Code of West Virginia by adding a definition of a United States savings bond and new section 36-8-2a Escheat of United States savings bonds.

Under the proposed bill, an “United States savings bond” means property, tangible or intangible, in the form of a savings bond issued by the United States Treasury whether in paper form, electronic or paperless form, along with the proceeds thereof.

The bill also proposes to add new section 36-8-2a Escheat of United State savings bonds. U.S. savings bonds would be presumed abandoned and escheatable to West Virginia if:

1. the last known address of the owner is in West Virginia; and
2. the U.S. savings bond has remained unclaimed and unredeemed for five years after final maturity.

The bill also includes provisions for the state administrator to redeem the savings bonds and deposit the balance (after any costs incident to the collection and recovery of such proceeds from the redemption) into the Unclaimed Property Fund. Once a valid claim is filed with the state, the administrator may, “in his or her sole discretion,” pay the claim less any expenses and costs which have been incurred by the state to secure title or redeem the bonds.

What does this mean to you?

The passage of this bill would only impact organizations holding U.S. savings bonds. Those

organizations will need to ensure systems are updated accordingly to have processes in place to escheat the bonds within the correct dormancy periods for West Virginia.

Clarification from the state may be needed for instructions as to how holders are to remit physical bonds to the state.

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

This article is intended for informational purposes and is not to be considered legal advice. For additional questions concerning this alert, contact Dana Terry at dterry@georgeson.com or 201-539-1998.

Georgeson actively tracks legislative changes and periodically reaches out to states for updates. Review previous Unclaimed Property Alerts:

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