



UNCLAIMED PROPERTY ALERT

Illinois proposes two additional unclaimed property bills - IL HB 4813 and SB 3455

On February 11, 2020, the Illinois House introduced HB 4813 which amends the Revised Uniform Unclaimed Property Act in various sections including when financial organization deposits are deemed abandoned, linking accounts for the purpose of contact with the owner, notice provided by the administrator, and examinations of state-regulated financial organizations.

On February 14, 2020 the Illinois Senate introduced SB 3455 which amends the Revised Uniform Unclaimed Property Act Section 15-210 - Indication of apparent owner interest in property. Details of both bills are listed below.

HB 4813

Section 15-201 When property is presumed abandoned

If passed, paragraph (6) would be updated to break out the presumption of abandonment for financial organization deposits as follows:

1. A demand deposit – 3 years after the date of last contact
2. A savings deposit – 3 years after the date of last contact
3. A time deposit (CD) for which the owner has not consented to automatic renewal – 3 years after the date of last contact
4. An automatically renewable time deposit (CD) for which the owner consented to the automatic renewal in a record on file with the holder – 3 years after the date of last contact following the completion of the initial term and one automatic renewal term

Section 15-210 Indication of apparent owner interest in property

The linkage provision would be updated to include any “of the other accounts the owner has with the financial organization.”

Payment Section 15-603 or delivery of property to administrator

Paragraph (b) proposes that if property on the report is in an automatically renewable CD and the holder determines that remitting the property when the report is due would result in a penalty or forfeiture in the payment of interest, the reporting and delivery of the property is extended until a penalty or forfeiture will no longer result from delivery of the property to the administrator. “The holder shall report and deliver the property on the next regular date prescribed for reporting by the holder under this Act after this extended date, and the holder shall indicate in its report to the administrator that the property is being reported on an extended date pursuant to this subsection.”

The bill also proposes additional provisions that may not directly impact holder reporting. See the full text of the bill for more details.

SB 3455

Section 15-210 Indication of apparent owner interest in property

If passed, this bill will amend the owner contact provision to provide that an owner’s interest in their property includes a deposit into or withdrawal from

an account at a financial organization, including (rather than except for) a recurring Automated Clearing House (ACH) debit or credit previously authorized by the owner, except for (rather than or) an automatic reinvestment of dividends or interest.

What does this mean to you?

If either or both bills pass, the provisions mentioned above will be positive developments for the holder community. Holders may need to make minor system changes and/or work with their vendors to ensure appropriate updates are made.

Georgeson will continue to monitor the progress of both bills.

The full text of IL HB 4813 can be found [here](#).

The full text of IL SB 3455 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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