

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 1401

(SENATE AUTHORS: LAINE)

DATE
02/23/2017

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OFFICIAL STATUS
Introduction and first reading
Referred to Commerce and Consumer Protection Finance and Policy

1.1 A bill for an act
1.2 relating to commerce; modifying unclaimed property requirements; modifying the
1.3 commissioner's duties; requiring reports; appropriating money; amending Minnesota
1.4 Statutes 2016, section 345.42, 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 designate at least two full-time equivalent positions whose
1.18 purpose is to return abandoned property to the owners.

1.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.

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 largest
2.12 circulation qualified newspaper in each county, and must include the names of all persons
2.13 whose last known address is within the county. The list must be published at least once per
2.14 year. The commissioner may stagger publication of the entire list of owners by publishing
2.15 a partial list at least twice, but no more than three times per year. Each qualified newspaper
2.16 that publishes the list shall, at no additional charge to the commissioner, also post the list
2.17 on its Web site or on a central Web site that can be accessed directly from the qualified
2.18 newspaper's Web site. The list must be accessible on the Web site for not less than 180 days
2.19 and at no cost to the public. The qualified newspaper must include in its publication of the
2.20 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, 2018, 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 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.27 Sec. 3. **REPORT ON UNCLAIMED PROPERTY.**

2.28 The commissioner shall report to the house of representatives and senate committees
2.29 with jurisdiction over commerce issues by January 1, 2018, regarding the process owners
2.30 of abandoned property must comply with in order to file an allowed claim under chapter
2.31 345 and the methods the commissioner uses to return abandoned property to owners. The
2.32 report shall include:

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

3.3 (2) a comparison of the effectiveness of the methods the commissioner uses to return
3.4 abandoned property under chapter 345 to the owner.

3.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.6 Sec. 4. **APPROPRIATION.**

3.7 \$..... in fiscal year 2018 and \$..... in fiscal year 2019 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).