

1 HOUSE BILL 26
2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY
4 Christine Chandler
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10 AN ACT

11 RELATING TO PROPERTY; REINSTATING CERTAIN PROVISIONS OF A
12 SECTION OF LAW REGARDING REQUIREMENTS FOR THE NOTICE AND
13 PUBLICATION OF LISTS OF ABANDONED PROPERTY ELIMINATED BY LAWS
14 2021, CHAPTER 65, SECTION 10.
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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 7-8A-9 NMSA 1978 (being Laws 1997,
18 Chapter 25, Section 9, as amended) is amended to read:

19 "7-8A-9. NOTICE AND PUBLICATION OF LISTS OF ABANDONED
20 PROPERTY.--

21 A. The administrator shall publish a notice not
22 later than November 30 of each year in which abandoned property
23 has been paid or delivered to the administrator. The notice
24 shall be published in a newspaper of general circulation in
25 each county of this state in which is located the last known

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underscoring material = new
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1 address of any person named in the notice. If a holder does
2 not report an address for the apparent owner or the address is
3 outside this state, the notice must be published in the county
4 in which the holder has its principal place of business within
5 this state or another county that the administrator reasonably
6 selects. The advertisement must be in a form that, in the
7 judgment of the administrator, is likely to attract the
8 attention of the ~~[general public]~~ apparent owner of the
9 unclaimed property. The advertisement shall contain:

10 (1) the name of each person appearing to be
11 the owner of the property, as set forth in the report filed by
12 the holder;

13 (2) the last known address or location of each
14 person appearing to be the owner of the property, if an address
15 or location is set forth in the report filed by the holder;

16 ~~[A.]~~ (3) the website on which to search for
17 information about abandoned properties;

18 ~~[B.]~~ (4) the email address of the
19 administrator;

20 ~~[C.]~~ (5) the telephone number and physical
21 mailing address of the administrator;

22 ~~[D.]~~ (6) a statement explaining that property
23 of the owner is presumed to be abandoned and has been taken
24 into the protective custody of the administrator; and

25 ~~[E.]~~ (7) a statement providing information

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1 about the property and the return to the property's owner is
2 available to a person having a legal or beneficial interest in
3 the property, upon request to the administrator.

4 B. The administrator is not required to advertise
5 the name and address or location of an owner of property having
6 a total value less than fifty dollars (\$50.00) or information
7 concerning a traveler's check, money order or similar
8 instrument."