

1 UNCLAIMED PROPERTY AMENDMENTS

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 Chief Sponsor: David E. Lifferth

5 Senate Sponsor: _____

6
7 LONG TITLE

8 General Description:

9 This bill amends provisions related to unclaimed personal property.

10 Highlighted Provisions:

11 This bill:

12 ▶ allows a local entity to post public notice for found or unclaimed property on a local
13 entity's website and the Utah Public Notice Website as an alternative to posting
14 notice in a newspaper; and

15 ▶ makes technical changes.

16 Money Appropriated in this Bill:

17 None

18 Other Special Clauses:

19 None

20 Utah Code Sections Affected:

21 AMENDS:

22 77-24a-5, as last amended by Laws of Utah 2009, Chapter 388

23
24 *Be it enacted by the Legislature of the state of Utah:*

25 Section 1. Section 77-24a-5 is amended to read:

26 77-24a-5. **Disposition of unclaimed property.**

27 (1) (a) If the owner of any unclaimed property cannot be determined or notified, or if



28 ~~[he]~~ the owner is determined and notified, and fails to appear and claim the property after three
29 months of ~~[its]~~ receipt of the property by the local law enforcement agency, the agency shall:

30 (i) publish at least one notice of the intent to dispose of the unclaimed property~~[:-(A)]~~
31 in a newspaper of general circulation within the county~~[-and (B)]~~ as required in Section
32 45-1-101; ~~[and]~~ or

33 (ii) post a similar notice:

34 (A) in a public place designated for notice within the law enforcement agency~~[-]~~ or the
35 local entity's public website; and

36 (B) on the Utah Public Notice Website created in Section 63F-1-701.

37 (b) The notice shall:

38 (i) give a general description of the item; and

39 (ii) the date of intended disposition.

40 (c) The agency may not dispose of the unclaimed property until at least eight days after
41 the date of publication and posting.

42 (2) (a) If no claim is made for the unclaimed property within nine days of publication
43 and posting, the agency shall notify the person who turned the property over to the local law
44 enforcement agency, if it was turned over by a person under Section 77-24a-3.

45 (b) Except as provided in Subsection (4), if that person has complied with the
46 provisions of this chapter, the person may take the unclaimed property if the person:

47 (i) pays the costs incurred for advertising and storage; and

48 (ii) signs a receipt for the item.

49 (3) If the person who found the unclaimed property fails to take the property under the
50 provisions of this chapter, the agency shall dispose of that property and any other property that
51 is not claimed under this chapter as provided by Section 77-24-4.

52 (4) Any person employed by a law enforcement agency who finds property may not
53 claim or receive property under this section.

Legislative Review Note
as of 2-19-13 10:27 AM

Office of Legislative Research and General Counsel