

SENATE FILE NO. SF0102

Unclaimed cooperative utility deposits and payments.

Sponsored by: Senator(s) Driskill, Baldwin, Boner, Hicks  
and Steinmetz and Representative(s) Eyre,  
Hunt, Simpson and Sommers

A BILL

for

1 AN ACT relating to cooperative utilities; specifying how  
2 unclaimed refunds due members of cooperative utilities  
3 shall be used if unclaimed; making conforming amendments;  
4 and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 17-20-1301 by creating a new  
9 subsection (c) and 34-24-109 are amended to read:

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11 **17-20-1301. Patronage capital contributions,**  
12 **allocations and refunds; deposits and advance payments.**

13

14 (c) Notwithstanding W.S. 34-24-109 and any other  
15 provision of law, any deposit or advance payment that has

1 been refunded, including any interest thereon, and has not  
2 been claimed by the member appearing on the records of the  
3 cooperative for more than two (2) years shall be determined  
4 to be unclaimed. Notwithstanding any other provision of  
5 law, including provisions pertaining to unclaimed property,  
6 unclaimed refunds for deposits or advance payments shall be  
7 used by the cooperative utility for the benefit of the  
8 general membership of the cooperative. The right of an  
9 owner to unclaimed refunds for deposits or advance payments  
10 held by a cooperative utility is extinguished when the  
11 unclaimed refunds are used by the cooperative utility for  
12 the benefit of its general membership in accordance with  
13 this subsection. Nothing in this subsection precludes a  
14 cooperative utility from refunding subsequently claimed  
15 funds at the cooperative utility's discretion.

16

17 **34-24-109. Deposits held by utilities.**

18

19 (a) Subject to subsection (b) of this section, a  
20 deposit, including any interest thereon, made by a  
21 subscriber with a utility to secure payment or any sum paid  
22 in advance for utility services to be furnished, less any  
23 lawful deductions, that remains unclaimed by the owner for

1 more than one (1) year after termination of the services  
2 for which the deposit or advance payment was made is deemed  
3 abandoned.

4

5 (b) The provisions of this act shall not apply to  
6 deposits or advance payments made to a cooperative utility  
7 subject to the provisions of the Wyoming Cooperative  
8 Utilities Act.

9

10 **Section 2.** For any deposit or advance payment  
11 collected by a cooperative utility as defined by W.S.  
12 17-20-140(a)(i) that is due as a refund to a member of the  
13 cooperative utility and that has been held as abandoned or  
14 unclaimed property before the effective date of this act,  
15 the deposit or advance payment shall remain as unclaimed  
16 property and shall not be used in accordance with W.S.  
17 17-20-1301(c), as created by section 1 of this act, for not  
18 less than two (2) years after the effective date of this  
19 act.

20

21 **Section 3.** This act is effective July 1, 2021.

22

23

(END)