

**HOUSE BILL NO. 1187**

Introduced by

Representatives Kempenich, Brandenburg, K. Koppelman

Senators J. Lee, Schaible

1 A BILL for an Act to create and enact a new subsection to section 54-11-01 of the North Dakota  
2 Century Code, relating to duties of the state treasurer; to amend and reenact sections 10-15-49  
3 and 47-30.1-24.1, subsection 6 of section 57-38-57, and subsections 3 and 8 of section  
4 57-39.2-23 of the North Dakota Century Code, relating to abandoned property; and to repeal  
5 section 15-02-05.2 of the North Dakota Century Code, relating to the administrator of  
6 abandoned property.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1. AMENDMENT.** Section 10-15-49 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10 **10-15-49. Amounts due unknown persons.**

11 Upon liquidation of a cooperative, the assets distributable to persons who are unknown or  
12 cannot be found may be reduced to cash and transferred to the ~~commissioner of university and~~  
13 ~~school lands~~ administrator of unclaimed property and ~~shall~~ must be treated as abandoned and  
14 unclaimed property under the escheat and abandoned property laws of the state.

15 **SECTION 2. AMENDMENT.** Section 47-30.1-24.1 of the North Dakota Century Code is  
16 amended and reenacted as follows:

17 **47-30.1-24.1. Claims by state agencies - Budget section approval and report.**

18 Within one year of receipt of state agency property, the administrator shall notify the agency  
19 by certified mail. The ~~commissioner of university and school lands~~ administrator shall present a  
20 report to the budget section of the legislative management identifying every state agency that  
21 has not submitted a claim for property belonging to that agency within one year of the receipt of  
22 the date of the certified mail receipt. Upon approval of the budget section of the legislative  
23 management, the agency relinquishes its right to recover its property.

1       **SECTION 3.** A new subsection to section 54-11-01 of the North Dakota Century Code is  
2 created and enacted as follows:

3           Shall employ an administrator of abandoned property and other personnel as  
4           necessary for the proper administration of chapter 47-30.1 and shall set the salaries,  
5           within limits of legislative appropriations. All public officers shall assist the  
6           administrator in carrying out the administration of chapter 47-30.1.

7       **SECTION 4. AMENDMENT.** Subsection 6 of section 57-38-57 of the North Dakota Century  
8 Code is amended and reenacted as follows:

9       6. Upon request, the tax commissioner may furnish to the ~~unclaimed property division of~~  
10       ~~the board of university and school lands~~administrator of abandoned property, a  
11       taxpayer's name, address, and federal identification number for identifying the  
12       taxpayer as the owner of an unclaimed voucher authorized by the tax commissioner or  
13       to locate the apparent owner of unclaimed property as provided under chapter  
14       47-30.1.

15       **SECTION 5. AMENDMENT.** Subsection 3 of section 57-39.2-23 of the North Dakota  
16 Century Code is amended and reenacted as follows:

17       3. The commissioner may furnish to workforce safety and insurance, the job insurance  
18       division of job service North Dakota, and the secretary of state, upon request of the  
19       respective agency, a list or lists of holders of permits issued under this chapter or  
20       chapter 57-40.2, together with the addresses and tax department file identification  
21       numbers of those permitholders. The agency may use the list or lists only for the  
22       purpose of administering the duties of the agency. The commissioner may furnish to  
23       ~~the unclaimed property division of the board of university and school~~  
24       ~~lands~~administrator of abandoned property, upon ~~the administrator's~~ request, the  
25       name, address, and the permitholder's federal identification number for the sole  
26       purpose of identifying the owner of an unclaimed voucher authorized by the  
27       commissioner.

28       **SECTION 6. AMENDMENT.** Subsection 8 of section 57-39.2-23 of the North Dakota  
29 Century Code is amended and reenacted as follows:

30       8. Upon request, the commissioner may furnish to the ~~unclaimed property division of the~~  
31       ~~board of university and school lands~~administrator of abandoned property, a taxpayer's

1 name, address, and federal identification number for identifying the owner of an  
2 unclaimed voucher authorized by the commissioner or to locate the apparent owner of  
3 unclaimed property as provided under chapter 47-30.1.

4 **SECTION 7. REPEAL.** Section 15-02-05.2 of the North Dakota Century Code is repealed.