

AN ACT

relating to the reporting and handling of unclaimed property.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (c), Section 74.101, Property Code, is amended to read as follows:

(c) The property report must include, if known by the holder:

(1) the name, ~~and~~ social security number, driver's license or state identification number, e-mail address [if known], and the last known address~~[, if any,]~~ of:

(A) each person who, from the records of the holder of the property, appears to be the owner of the property;~~[,]~~ or

(B) ~~[the name and address, if known, of]~~ any person who is entitled to the property;

(2) a description of the property, the identification number, if any, and, if appropriate, a balance of each account, except as provided by Subsection (d);

(3) the date that the property became payable, demandable, or returnable;

(4) the date of the last transaction with the owner concerning the property; and

(5) other information that the comptroller by rule requires to be disclosed as necessary for the administration of

1 this chapter.

2 SECTION 2. Subchapter B, Chapter 74, Property Code, is
3 amended by adding Section 74.1011 to read as follows:

4 Sec. 74.1011. NOTICE BY PROPERTY HOLDER REQUIRED.

5 (a) Except as provided by Subsection (b), a holder who on June 30
6 holds property valued at more than \$250 that is presumed abandoned
7 under Chapter 72, 73, or 75 of this code or Chapter 154, Finance
8 Code, shall, on or before the following August 1, mail to the last
9 known address of the known owner written notice stating that:

10 (1) the holder is holding the property; and

11 (2) the holder may be required to deliver the property
12 to the comptroller on or before November 1 if the property is not
13 claimed.

14 (b) The notice required under Subsection (a) does not apply
15 to a holder who:

16 (1) has already provided such notice to the owner of
17 the property or a person entitled to the property under existing
18 federal law, rules, and regulations or state law within the time
19 specified under Subsection (a); or

20 (2) does not have a record of an address for the
21 property owner or any other person entitled to the property.

22 (c) A holder that provides notice under this section may
23 charge the cost of the postage as a service charge against the
24 property.

25 SECTION 3. The heading to Subchapter C, Chapter 74,
26 Property Code, is amended to read as follows:

1 SUBCHAPTER C. NOTICE BY COMPTROLLER

2 SECTION 4. Section 74.601, Property Code, is amended by
3 adding Subsection (g) to read as follows:

4 (g) If an owner does not assert a claim for unclaimed money
5 and the owner is reported to be the state or a state agency, the
6 comptroller may deposit the unclaimed money to the credit of the
7 general revenue fund. The comptroller may establish procedures and
8 adopt rules as necessary to implement this subsection.

9 SECTION 5. Subchapter A, Chapter 411, Government Code, is
10 amended by adding Section 411.0111 to read as follows:

11 Sec. 411.0111. PROVISION OF CERTAIN INFORMATION TO
12 COMPTROLLER. (a) Not later than June 1 of each year, the
13 department shall provide to the comptroller, for the purpose of
14 assisting the comptroller in the identification of persons entitled
15 to unclaimed property reported to the comptroller, the name,
16 address, social security number, date of birth, and driver's
17 license or state identification number of each person about whom
18 the department has such information in its records.

19 (b) Information provided to the comptroller under this
20 section is confidential and may not be disclosed to the public.

21 (c) The department shall provide the information in the
22 format prescribed by rule of the comptroller.

23 SECTION 6. Subchapter A, Chapter 811, Government Code, is
24 amended by adding Section 811.010 to read as follows:

25 Sec. 811.010. PROVISION OF CERTAIN INFORMATION TO
26 COMPTROLLER. (a) Not later than June 1 of each year, the
27 retirement system shall provide to the comptroller, for the purpose

1 of assisting the comptroller in the identification of persons
2 entitled to unclaimed property reported to the comptroller, the
3 name, address, social security number, and date of birth of each
4 member, retiree, and beneficiary from the retirement system's
5 records.

6 (b) Information provided to the comptroller under this
7 section is confidential and may not be disclosed to the public.

8 (c) The retirement system shall provide the information in
9 the format prescribed by rule of the comptroller.

10 SECTION 7. Subchapter A, Chapter 821, Government Code, is
11 amended by adding Section 821.010 to read as follows:

12 Sec. 821.010. PROVISION OF CERTAIN INFORMATION TO
13 COMPTROLLER. (a) Not later than June 1 of each year, the
14 retirement system shall provide to the comptroller, for the purpose
15 of assisting the comptroller in the identification of persons
16 entitled to unclaimed property reported to the comptroller, the
17 name, address, social security number, and date of birth of each
18 member, retiree, and beneficiary from the retirement system's
19 records.

20 (b) Information provided to the comptroller under this
21 section is confidential and may not be disclosed to the public.

22 (c) The retirement system shall provide the information in
23 the format prescribed by rule of the comptroller.

24 SECTION 8. Subchapter F, Chapter 301, Labor Code, is
25 amended by adding Section 301.086 to read as follows:

26 Sec. 301.086. PROVISION OF CERTAIN INFORMATION TO
27 COMPTROLLER. (a) Not later than June 1 of each year, the

1 commission shall provide to the comptroller, for the purpose of
2 assisting the comptroller in the identification of persons entitled
3 to unclaimed property reported to the comptroller, the name,
4 address, social security number, and date of birth of each person
5 about whom the commission has such information in its records.

6 (b) Information provided to the comptroller under this
7 section is confidential and may not be disclosed to the public.

8 (c) The commission shall provide the information in the
9 format prescribed by rule of the comptroller.

10 SECTION 9. The heading to Section 521.044, Transportation
11 Code, is amended to read as follows:

12 Sec. 521.044. USE OR DISCLOSURE OF SOCIAL SECURITY NUMBER
13 INFORMATION [~~FOR CHILD SUPPORT COLLECTION~~].

14 SECTION 10. Subsection (a), Section 521.044,
15 Transportation Code, is amended to read as follows:

16 (a) Information provided on a driver's license application
17 that relates to the applicant's social security number may be used
18 only by the department or disclosed only to:

19 (1) the child support enforcement division of the
20 attorney general's office;

21 (2) another state entity responsible for enforcing the
22 payment of child support; [~~or~~]

23 (3) the United States Selective Service System as
24 provided by Section 521.147; or

25 (4) the unclaimed property division of the
26 comptroller's office.

27 SECTION 11. This Act takes effect September 1, 2009.

Grand Swihurst

President of the Senate

Jim Strawn
Speaker of the House

I hereby certify that S.B. No. 1589 passed the Senate on April 30, 2009, by the following vote: Yeas 31, Nays 0.

Letsy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 1589 passed the House on May 15, 2009, by the following vote: Yeas 142, Nays 2, one present not voting.

Robert Haney
Chief Clerk of the House

Approved:

27 MAY '09
Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
5 pm O'CLOCK

MAY 27 2009
Boyan R. ...
Secretary of State