

ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

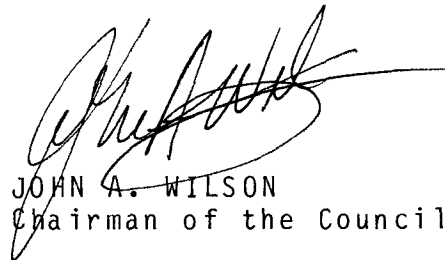
NOTICE

D.C. LAW 9-64

"Uniform Disposition of Unclaimed Property Act of 1980 Clarifying Temporary Amendment Act of 1991".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 9-322 on first and second readings, October 1, 1991, and November 5, 1991, respectively. Following the signature of the Mayor on November 25, 1991, this legislation was assigned Act No. 9-107, published in the December 6, 1991, edition of the D.C. Register, (Vol. 38 page 7296) and transmitted to Congress on November 26, 1991 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 9-64, effective March 7, 1992.


JOHN A. WILSON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

November 26,27

January 21,22,23,24,27,28,29,30,31

February 3,4,5,6,7,18,19,20,21,24,25,26,27,28

March 2,3,4,5,6

AN ACT

D.C. ACT 9-107

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 25, 1991

To amend, on a temporary basis, the Uniform Disposition of Unclaimed Property Act of 1980 to shorten the time period during which holders of unclaimed property may hold property without reporting it to the Mayor and to clarify the conditions for establishing jurisdiction over unclaimed property.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act shall be cited as the "Uniform Disposition of Unclaimed Property Act of 1980 Clarifying Temporary Amendment Act of 1991".

Sec. 2. The Uniform Disposition of Unclaimed Property Act of 1980, effective March 5, 1981 (D.C. Law 3-160; D.C. Code §42-201 *et seq.*), is amended as follows:

(a) Section 103(a) (D.C. Code §42-203(a)) is amended by deleting the figure "7" and inserting the figure "5" in its place.

Section
42-203

(b) Section 104 (D.C. Code §42-204) is amended to read as follows:
"Sec. 104. General Rules for Taking Custody of Unclaimed Intangible Property.

Section
42-204

"Unless otherwise provided by statute of the District of Columbia, intangible personal property is subject to a presumption of abandonment under this title if the conditions leading to a presumption of abandonment as described in sections 103 and 105 through 116 are satisfied, and any of the following conditions is met:

"(a) The last known address of the apparent owner, as shown on the records of the holder, is in the District;

"(b) The records of the holder do not reflect the identity of the person entitled to the property and it is established that the property was owned or payable to a person whose last known address is in the District;

"(c) The records of the holder do not reflect the last known address of the apparent owner, and it is established that:

"(1) The last known address of the person entitled to the property is in the District; or

"(2) The holder is either domiciled in the District or is the District government and has not previously paid or delivered the property to the state of the last known address of the apparent owner or other person entitled to the property;

"(d) The last known address, as shown on the records of the holder, of the apparent owner is in a state that does not provide an

escheat or abandoned property law applicable to the property in question and the holder is:

"(1) Domiciled in the District; or

"(2) The District government;

"(e) The last known address of the apparent owner, as shown on the record of the holder, is in a foreign nation and the holder is:

"(1) Domiciled in the District; or

"(2) The District government;

"(f) The transaction out of which the property arose occurred in the District; and

"(1)(A) The identity of the person entitled to the property is unknown;

"(B) The last known address of the apparent owner or other person entitled to the property is unknown; or

"(C) The last known address of the apparent owner is in a state that does not provide an escheat or unclaimed property law applicable to the property; and

"(2) The holder is domiciled in a state that does not provide an escheat or abandoned property law applicable to the property; or

"(g) The holder is domiciled in the District and has not previously paid or delivered the property to a state."

(c) Section 106(a) (D.C. Code §42-206(a)) is amended by striking the figure "10" and inserting the figure "5" in its place.

Section
42-206

(d) Section 106(d) (D.C. Code §42-206(d)) is amended by striking the figure "10" wherever it appears and inserting the figure "5" in its place.

Section
42-206

(e) Section 107 (D.C. Code §42-207(a)) is amended by striking the figure "7" wherever it appears and inserting the figure "5" in its place.

Section
42-207

(f) Section 108 (D.C. Code §42-208) is amended by striking the figure "7" wherever it appears and inserting the figure "5" in its place.

Section
42-208

(g) Section 109 (D.C. Code §42-209) is amended by striking the figure "7" and inserting the figure "5" in its place.

Section
42-209

(h) Section 110 (D.C. Code §42-210) is amended by striking the phrase "2 years" and inserting the phrase "60 days" in its place.

Section
42-210

(i) Section 111(a) (D.C. Code §42-211(a)) is amended by striking the figure "7" and inserting the figure "5" in its place.

Section
42-211

(j) Section 113 (D.C. Code §42-213) is amended by striking the figure "7" and inserting the figure "5" in its place.

Section
42-213

(k) Section 114(a) (D.C. Code §42-214(a)) is amended by striking the figure "7" and inserting the figure "2" in its place.

Section
42-214

(l) Section 115 (D.C. Code §42-215) is amended by striking the figure "10" and inserting the figure "5" in its place.

Section
42-215

(m) Section 117(d) (D.C. Code §42-217(d)) is amended to read as follows:

Section
42-217

"(d) The report as of the prior June 30th must be filed before November 1st of each year, but the report as of the prior December 31st of life insurance corporations must be filed before May 1st of each year.

"(1) The Mayor may postpone the reporting date upon written request by any person required to file a report.

"(2) In calendar year 1981, the report concerning all property presumed to be abandoned as of June 30, 1980 (and December 1, 1980, for insurance companies), must be filed no later than June 20, 1981.

Enrolled Original

"(3) In calendar year 1992, a report concerning all property presumed to be abandoned as of October 31, 1991, must be filed no later than January 2, 1992."

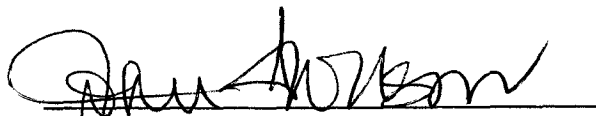
(n) Section 118(g) (D.C. Code §42-218(g)) is amended by designating the existing text as paragraph (1) and adding a new paragraph (2) to read as follows:

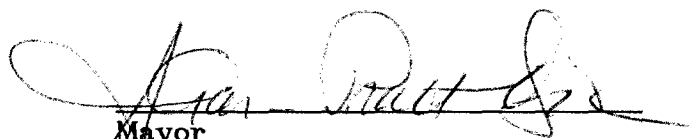
Section
42-218

"(2) With respect to the property reported on or before January 2, 1992, pursuant to section 117(d)(3), the Mayor shall cause the newspaper notice required by subsection (a) of this section to be completed no later than April 30, 1992. The newspaper notice shall contain all the information required by paragraphs (1) and (2) of subsection (b) of this section and a statement that if proof of claim is not presented by the owner to the holder and if the owner's right to receive the property is not established to the holder's satisfaction on or before June 1, 1992, the abandoned property will be placed in the custody of the Mayor not later than July 1, 1992, and all further claims must thereafter be directed to the Mayor."

Sec. 3. (a) This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code §1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.

(b) This act shall expire on the 225th day of its having taken effect or upon the effective date of the Uniform Disposition of Unclaimed Property Act of 1980 Clarifying Amendment Act of 1991, whichever occurs first.


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED: November 25, 1991



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Nine

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 9-322

[X] Item on Consent Calendar

[X] ACTION & DATE: Adopted First Reading, 10-1-91

[X] VOICE VOTE: Approved

Recorded vote on request

Absent: all present

[] ROLL CALL VOTE: -- RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. (repeated 3 times). Rows include CHMN. WILSON, BRAZIL, CRAWFORD, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, RAY, ROLARK, SMITH, JR., THOMAS, SR.

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Signature of Secretary to the Council

Date: November 12, 1991

[X] Item on Consent Calendar

[X] ACTION & DATE: Adopted Final Reading, 11-5-91

[X] VOICE VOTE: Approved

Recorded vote on request

Absent: all present

[] ROLL CALL VOTE: -- RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. (repeated 3 times). Rows include CHMN. WILSON, BRAZIL, CRAWFORD, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, RAY, ROLARK, SMITH, JR., THOMAS, SR.

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Signature of Secretary to the Council

Date: November 12, 1991

[] Item on Consent Calendar

[] ACTION & DATE:

[] VOICE VOTE:

Recorded vote on request

Absent:

[] ROLL CALL VOTE: -- RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. (repeated 3 times). Rows include CHMN. WILSON, BRAZIL, CRAWFORD, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, RAY, ROLARK, SMITH, JR., THOMAS, SR.

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date