

HOUSE COMMITTEE OF REFERENCE REPORT

March 19, 2019

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Chair of Committee

\_\_\_\_\_  
Date

Committee on Business Affairs & Labor.

After consideration on the merits, the Committee recommends the following:

SB19-088 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 94, strike lines 2 through 7 and substitute:

2 **"38-13-1504. Application of article - local government -**  
3 **exemption - notice of property.** (1) EXCEPT AS OTHERWISE PROVIDED  
4 IN THIS SECTION, THE PROVISIONS OF THIS ARTICLE 13 DO NOT APPLY TO A  
5 LOCAL GOVERNMENT THAT IS A HOLDER OF PROPERTY IF:

6 (a) THE LOCAL GOVERNMENT HAS A LOCAL ORDINANCE OR  
7 RESOLUTION RELATING TO THE DISPOSITION OF PROPERTY THAT CONFLICTS  
8 WITH THIS ARTICLE 13;

9 (b) THE LOCAL ORDINANCE OR RESOLUTION DESCRIBED IN  
10 SUBSECTION (1)(a) OF THIS SECTION REQUIRES THE LOCAL GOVERNMENT  
11 TO HOLD THE PROPERTY FOR THE OWNER FOR AT LEAST FIVE YEARS AFTER  
12 THE DATE IT IS PRESUMED ABANDONED UNDER SECTION 38-13-201 (1)(j);  
13 AND

14 (c) THE LOCAL GOVERNMENT PROVIDES THE ADMINISTRATOR WITH  
15 THE INFORMATION DESCRIBED IN SUBSECTION (2) OF THIS SECTION IN THE  
16 SAME ELECTRONIC FORMAT AS A HOLDER IS REQUIRED TO USE TO REPORT  
17 UNCLAIMED PROPERTY.

18 (2) TO SATISFY SUBSECTION (1)(c) OF THIS SECTION, A LOCAL  
19 GOVERNMENT MUST PROVIDE THE ADMINISTRATOR WITH THE FOLLOWING  
20 INFORMATION ON OR BEFORE NOVEMBER 1 OF EACH YEAR:

21 (a) AN ALPHABETICAL LIST OF THE OWNERS FOR WHOM THE LOCAL  
22 GOVERNMENT HOLDS PROPERTY THAT IS PRESUMED ABANDONED UNDER  
23 SECTION 38-13-201 (1)(j); AND

1 (b) THE VALUE OF THE ABANDONED PROPERTY THAT THE EXEMPT  
2 LOCAL GOVERNMENT HOLDS FOR EACH OWNER.

3 (3) THE ADMINISTRATOR SHALL INCLUDE THE INFORMATION  
4 RECEIVED IN ACCORDANCE WITH SUBSECTION (2) OF THIS SECTION, ALONG  
5 WITH A STATEMENT THAT A PERSON CLAIMING TO BE THE OWNER MUST  
6 FILE A CLAIM FOR THE PROPERTY WITH THE SPECIFIC LOCAL GOVERNMENT  
7 THAT HAS THE PROPERTY, AS PART OF THE WEBSITE OR DATABASE  
8 MAINTAINED UNDER SECTION 38-13-503 (3)."

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