
Judiciary Committee

HB 1994

Title: An act relating to overpayments received by courts.

Brief Description: Addressing overpayments received by courts.

Sponsors: Representatives Curtis, Ericks, Roberts and Quall.

Brief Summary of Bill

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| <ul style="list-style-type: none">• Allows courts to retain litigation overpayments of ten dollars or less, rather than transferring it to the Department of Revenue under the Unclaimed Property Act. |
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Hearing Date: 2/13/07

Staff: Bill Perry (786-7123).

Background:

Under the Unclaimed Property Act (UPA), intangible property held by someone other than the owner is presumed to be abandoned and subject to the custody of the state if certain conditions exist. Generally, a presumption of abandonment is created when property remains unclaimed for three years. There are specific rules that apply to various kinds of intangible property, including travelers checks, bank accounts, money orders, shares of stock, life insurance policies, lottery tickets, and other types of intangible property.

The holders of unclaimed property are generally required to supply information annually to the Department of Revenue (DOR) regarding the property and its owner. Depending on the holder and the type and value of the property involved, attempts must be made by the holder and by the DOR to notify the owner of the property.

One specific provision within the UPA applies to property held by courts and other public agencies. Such property is considered abandoned if it remains unclaimed for more than two years.

Summary of Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Courts are allowed to retain certain overpayments of ten dollars or less. The overpayments covered are those made in connection with any litigation. The retained money is to be deposited into the local current expense fund.

Appropriation: None.

Fiscal Note: Requested on February 9, 2007.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.