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## Civil Rights & Judiciary Committee

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### HB 1731

**Brief Description:** Regarding unclaimed property held by a museum or historical society.

**Sponsors:** Representative Waters.

**Brief Summary of Bill**

- Creates alternative notification methods and procedures for museums and historical societies to notify property owners of abandonment or loan termination.
- Creates procedures to establish ownership of property with unknown or undocumented ownership.

**Hearing Date:** 2/11/25

**Staff:** Eric Lopez (786-7290) and Edie Adams (786-7180).

**Background:**

Property held by a museum or historical society, other than loaned property, that has been held for five years or more and that has remained unclaimed is deemed abandoned and subject to permanent acquisition by the museum or historical society. In addition, loaned property is deemed to have been donated if no attempt is made to recover it at the termination of the loan. In both cases, a notice procedure must first be followed.

Museums and historical societies are required to follow specific procedures when notifying owners about the abandonment of property or the termination of a loan. Owners of unclaimed property with addresses on record must be notified by certified mail that their property will become the property of the museum or historical society if it is not claimed. If an address is not available, or if a receipt is not received for the mailed notice, notice must be published in a

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newspaper of general circulation for two consecutive weeks in the county in which the museum is located and in the county of the last known address of the owner. If no claim is made for the property within ninety days of the second published notice, it becomes the property of the museum or historical society.

All notices must include:

- a description of the unclaimed property;
- the owner's name and last known address;
- a request for information regarding the owner's whereabouts; and
- a statement that the property will be considered abandoned or donated if the owner doesn't assert a claim within 90 days from the second notice

### **Summary of Bill:**

The requirement for publication of notice in a newspaper when certified mail is unsuccessful or the owner's address is unknown is removed, and instead other methods of alternative service are authorized.

If initial notice fails, the museum or society must post a notice at least once a week for three consecutive weeks using one or more of the following methods:

- posting on the institution's official website;
- sending emails to known owner addresses or public lists;
- posting on the institution's official social media accounts;
- displaying notices in public spaces at the institution's primary location;
- attempting to call any known phone numbers of the owner; or
- using other reasonable electronic methods.

If property is found without donor documentation or abandoned without identifying information, the museum or society must follow a process to establish ownership by posting a public notice on the website or in a public space at the institution's primary location.

An unknown donor notice must include:

- a general property description;
- a request for anyone with ownership claims or donor information to contact the museum or historical society in writing;
- contact details for submitting claims; and
- a statement that if no claims are made within 90 days, the property will be deemed donated.

Any person claiming ownership must submit written proof to the museum or historical society.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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