

SENATE BILL REPORT

HB 1731

As Reported by Senate Committee On:
Law & Justice, March 20, 2025

Title: An act relating to unclaimed property held by a museum or historical society.

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

Sponsors: Representative Waters.

Brief History: Passed House: 3/5/25, 96-0.

Committee Activity: Law & Justice: 3/18/25, 3/20/25 [DPA, w/oRec].

Brief Summary of Amended Bill

- Changes notification methods for museums and historical societies to notify owners of loaned or abandoned property.
- Creates procedures to establish ownership of property with unknown or undocumented ownership.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended.

Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Holy, Ranking Member; Fortunato, Lovick, Salomon, Torres and Valdez.

Minority Report: That it be referred without recommendation.

Signed by Senator Wagoner.

Staff: Patrick Moore (786-7535)

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

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abandoned and subject to permanent acquisition by the museum or historical society. 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 owner's address is unknown, or if a receipt is not received for the mailed notice, notice must be published in a 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 90 days of the second published notice, it becomes the property of the museum or historical society.

Summary of Amended Bill: The requirement for publication of notice in a newspaper when certified mail is unsuccessful or the owner's address is unknown is replaced with other methods of giving notice. At least one method must be used and notice must be given at least once a week for three consecutive weeks. The methods are posting on the museum's or historical society's official website, sending an email from an official email address, posting on official social media accounts, physically posting a notice in a public space at the museum or historical society, documenting a phone call attempt, and any other reasonable electronic communication.

If property is found without donor documentation or abandoned without ownership 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. Any person claiming ownership must submit written proof to the museum or historical society.

EFFECT OF LAW & JUSTICE COMMITTEE AMENDMENT(S):

- Makes technical changes in other sections of the chapter to reflect changed requirements regarding procedure for providing notice.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This bill updates the antiquated notice system with modern communications. Old property is sometimes found in museums

and they are unable to figure out how to give it back. This simple modernization will save museums money and time, and increase the reach of communication beyond local geographic boundaries. The present law puts hardships on museums that have small budgets. Costs of providing notice divert resources from museum missions. This bill reduces monetary barriers and allows free access to information.

Persons Testifying: PRO: Representative Kevin Waters, Prime Sponsor; Bradley Richardson, Washington Museum Association.

Persons Signed In To Testify But Not Testifying: No one.