CERTIFICATION OF ENROLLMENT

HOUSE BILL 1731

Chapter 242, Laws of 2025

69th Legislature
2025 Regular Session

UNCLAIMED PROPERTY HELD BY MUSEUM OR HISTORICAL SOCIETY—PROCEDURE—MODIFICATION

EFFECTIVE DATE: July 27, 2025

Passed by the House April 22, 2025
Yeas 97 Nays 0

LAURIE JINKINS

Speaker of the House of Representatives

Passed by the Senate April 15, 2025
Yeas 48 Nays 0

DENNY HECK

President of the Senate

Approved May 12, 2025 3:13 PM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1731** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 14, 2025

Secretary of State
State of Washington

HOUSE BILL 1731

AS AMENDED BY THE SENATE

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By Representative Waters

Read first time 01/30/25. Referred to Committee on Civil Rights & Judiciary.

AN ACT Relating to unclaimed property held by a museum or historical society; and amending RCW 63.26.040, 63.26.020, 63.26.030, and 63.26.050.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 63.26.040 and 1988 c 226 s 6 are each amended to read as follows:

(1) When a museum or historical society is required to give notice of abandonment of property or of termination of a loan, the museum or historical society shall ((~~mail such~~)) send an initial notice by certified mail, return receipt requested, to the last known owner at the most recent address of such owner as shown on the museum's or society's records. If the museum or society has no address on record, or the museum or society does not receive written proof of receipt of the mailed notice within ((~~thirty~~)) 30 days of the date the notice was mailed, the museum or society shall ((~~publish~~)) provide notice, at least once each week for ((~~two~~)) three consecutive weeks, ((~~in a newspaper of general circulation in both the county in which the museum is located and the county in which the last known address, if available, of the owner is located~~)) using one or more of the following methods:

(a) Posting on a publicly accessible page on its official website;

(b) Sending an email from an organizational email address to any known email addresses of the owner or any publicized email lists;

(c) Posting on the official social media accounts of the museum or society;

(d) Physically posting a notice in a public space at the museum's or society's primary location, such as a lobby or other area accessible to visitors;

(e) Documenting a phone call attempt to any known phone numbers of the owner; or

(f) Any other electronic communication methods reasonably expected to reach the owner or interested parties.

(2) The ((~~published~~)) notice, whether digital or printed, shall contain the following:

(a) A description of the unclaimed property;

(b) The name and last known address of the owner;

(c) A request that all persons who may have any knowledge of the whereabouts of the owner provide written notice to the museum or society; and

(d) A statement that if written assertion of title is not presented by the owner to the museum or society within ninety days from the date of the second ((~~published~~)) notice, the property shall be deemed abandoned or donated and shall become the property of the museum or society.

(3) For purposes of this chapter, if the loan of property was made to a branch of a museum or society, the museum or society is deemed to be located in the county in which the branch is located. Otherwise the museum or society is located in the county in which it has its principal place of business.

(4)(a) When property is found in the collection of a museum or historical society without donor documentation or when property is abandoned at a museum or historical society without the donor's identity being provided, the museum or historical society shall follow a process to establish ownership of the property. The process must include an unknown donor notification, where notice is given to the public through at least one of the following methods:

(i) Posting on a publicly accessible page on the museum's or society's official website; or

(ii) Physically posting a notice in a public space at the museum's or society's primary location, such as a lobby or other area accessible to visitors.

(b) The unknown donor notification shall contain the following:

(i) A general description of the property;

(ii) A statement requesting that any person claiming ownership or having information about the possible donor contact the museum or society in writing;

(iii) Contact information for the museum or society, including an address and email address where claims or inquiries may be sent; and

(iv) A statement that if no claim or information establishing ownership is received by the museum or society within 90 days from the date of the notice, the property shall be deemed donated and shall become the property of the museum or society.

(c) Any person claiming ownership of the property must provide proof of ownership in writing to the museum or historical society.

Sec. 2. RCW 63.26.020 and 1988 c 226 s 4 are each amended to read as follows:

Any property held by a museum or historical society within the state, other than by terms of a loan agreement, that has been held for five years or more and has remained unclaimed shall be deemed to be abandoned. Such property shall become the property of the museum or historical society if the museum or society has given notice pursuant to RCW 63.26.040 and no assertion of title has been filed for the property within ((~~ninety~~)) 90 days from the date of the ((~~second published~~)) third notice provided.

Sec. 3. RCW 63.26.030 and 1988 c 226 s 5 are each amended to read as follows:

(1) Property subject to a loan agreement which is on loan to a museum or historical society shall be deemed to be donated to the museum or society if no claim is made or action filed to recover the property after termination or expiration of the loan and if the museum or society has given notice pursuant to RCW 63.26.040 and no assertion of title has been filed within ((~~ninety~~)) 90 days from the date of the ((~~second published~~)) third notice provided.

(2) A museum or society may terminate a loan of property if the property was loaned to the museum or society for an indefinite term and the property has been held by the museum or society for five

years or more. Property on "permanent loan" shall be deemed to be loaned for an indefinite term.

(3) If property was loaned to the museum or society for a specified term, the museum or society may give notice of termination of the loan at any time after expiration of the specified term.

(4) It is the responsibility of the owner of property on loan to a museum or society to notify the museum or society promptly in writing of any change of address or change in ownership of the property.

(5) When a museum or society accepts a loan of property, the museum or society shall inform the owner in writing of the provisions of this chapter.

Sec. 4. RCW 63.26.050 and 1988 c 226 s 7 are each amended to read as follows:

(1) If no written assertion of title has been presented by the owner to the museum or society within ((~~ninety~~)) 90 days from the date of the ((~~second published~~)) third notice provided, title to the property shall vest in the museum or historical society, free of all claims of the owner and of all persons claiming under the owner.

(2) One who purchases or otherwise acquires property from a museum or historical society acquires good title to the property if the museum or society has acquired title to the property under this chapter.

Passed by the House April 22, 2025.
Passed by the Senate April 15, 2025.
Approved by the Governor May 12, 2025.
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