

SENATE BILL No. 1013

February 25, 2004, Introduced by Senators SCHAUER and EMERSON and referred to the Committee on Appropriations.

A bill to amend 1995 PA 29, entitled
"Uniform unclaimed property act,"
by amending section 19 (MCL 567.239), as amended by 1997 PA 195,
and by adding section 8a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8a. (1) Unclaimed property payable or distributable in
2 conjunction with the demutualization of an insurance company is
3 presumed abandoned 2 years after the date of demutualization,
4 unless the owner, during the 2 years following the date of
5 demutualization, has communicated with the holder either in
6 writing or through other communication that is evidenced by a
7 contemporaneous record maintained by the holder.

8 (2) A holder of unclaimed property described in subsection
9 (1) shall file an initial 1-time report of unclaimed
10 demutualization proceeds not later than May 1, 2004 for the

1 1-year period ending December 31, 2003.

2 (3) As used in this section, "demutualization" means the
3 payment of consideration for the relinquishment of a mutual
4 membership interest in a mutual insurance company, regardless if
5 undertaken in conjunction with a plan of demutualization,
6 liquidation, merger, or other form of reorganization.

7 Sec. 19. (1) The administrator shall cause a notice to be
8 published not later than November 1 of the year immediately
9 following the report required by section 18 in a newspaper of
10 general circulation in the county of this state in which is
11 located the last known address of any person named in the
12 notice. If no address is listed or the address is outside this
13 state, the notice ~~must~~ **shall** be published in the county in
14 which the holder of the property has its principal place of
15 business within this state or another county as determined by the
16 administrator.

17 (2) The published notice shall be entitled "notice of names
18 of persons appearing to be owners of abandoned property" and
19 contain all of the following:

20 (a) The names, in alphabetical order, of persons listed in
21 the report and entitled to notice within the county as specified
22 in subsection (1).

23 (b) A statement that information concerning the property may
24 be obtained by any person possessing an interest in the property
25 by addressing an inquiry to the administrator.

26 (c) A statement informing an owner of property held by the
27 administrator on how to file a claim with the administrator to

1 receive his or her property.

2 (3) The administrator is not required to publish in the
3 notice any items of less than \$50.00 unless the administrator
4 considers their publication to be in the public interest.

5 (4) This section is not applicable to sums payable on
6 travelers checks, money orders, and other written instruments
7 presumed abandoned under section 5.