

By: Cook of Colorado

H.B. No. 64

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the abandonment of proceeds distributable on  
3 reorganization of an insurance company.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 72.101, Property Code, is amended by  
6 adding Subsections (c) and (d) to read as follows:

7 (c) Property distributable in the course of a  
8 demutualization, rehabilitation, or related reorganization of an  
9 insurance company is presumed abandoned on the first anniversary of  
10 the date the property becomes distributable if, at the time of the  
11 first distribution, the last known address of the owner according  
12 to the records of the holder of the property is known to be  
13 incorrect or the distribution or statements related to the  
14 distribution are returned by the post office as undeliverable and  
15 the owner has not:

16 (1) communicated in writing with the holder of the  
17 property or the holder's agent regarding the interest; or

18 (2) otherwise communicated with the holder regarding  
19 the interest as evidenced by a memorandum or other record on file  
20 with the holder or its agents.

21 (d) Property distributable in the course of a  
22 demutualization, rehabilitation, or related reorganization of an  
23 insurance company that is not subject to Subsection (c) is presumed  
24 abandoned as otherwise provided by this section.

1           SECTION 2. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect November 1, 2003.