

By: Hartnett

H.B. No. 1465

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to an administrative hearing for unclaimed property  
3 decisions.

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

5 SECTION 1. Subchapter F, Chapter 74, Property Code, is  
6 amended by adding Section 74.505 to read as follows:

7 Sec. 74.505. ADMINISTRATIVE HEARING. (a) A person  
8 aggrieved by an unfavorable decision on a claim filed under this  
9 subchapter is entitled to a hearing under Chapter 2001, Government  
10 Code, if the person submits to the comptroller a written request for  
11 a hearing not later than the 60th day after the date the unfavorable  
12 decision is received.

13 (b) A person whose claim has not been decided before the  
14 91st day after the date on which the claim was filed may request a  
15 hearing on or after that day but not later than the 150th day after  
16 the date of filing the claim. The limitation provided by this  
17 subsection does not affect the period of entitlement to a hearing  
18 provided by Subsection (a).

19 SECTION 2. The heading to Section 74.506, Property Code, is  
20 amended to read as follows:

21 Sec. 74.506. APPEAL FROM ADMINISTRATIVE HEARING.

22 SECTION 3. Section 74.506(a), Property Code, is amended to  
23 read as follows:

24 (a) A person aggrieved by the decision in an administrative

1 hearing under Section 74.505 is entitled to judicial review under  
2 Chapter 2001, Government Code, and [~~of a claim filed under this~~  
3 ~~subchapter~~] may appeal the decision before the 31st [~~61st~~] day  
4 after the date [~~day~~] on which it was rendered.

5 SECTION 4. Section 74.506(b), Property Code, is repealed.

6 SECTION 5. The change in law made by this Act applies only  
7 to a decision on a claim under Subchapter F, Chapter 74, Property  
8 Code, that is rendered on or after the effective date of this Act. A  
9 decision on a claim rendered before the effective date of this Act  
10 is governed by the law in effect at the time the decision was  
11 rendered, and the former law is continued in effect for that  
12 purpose.

13 SECTION 6. This Act takes effect September 1, 2003.