

By: Guillen

H.B. No. 227

A BILL TO BE ENTITLED

AN ACT

relating to disposition of certain unclaimed money by local telephone exchange companies.

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

SECTION 1. The heading to Section 74.3011, Property Code, is amended to read as follows:

Sec. 74.3011. DELIVERY OF MONEY TO RURAL SCHOLARSHIP FUND AND ECONOMIC DEVELOPMENT FUND.

SECTION 2. Section 74.3011, Property Code, is amended by amending Subsections (a), (b), (d), (e), and (g) and adding Subsections (h) and (i) to read as follows:

(a) Notwithstanding and in addition to any other provision of this chapter or other law, a local telephone exchange company may deliver reported money to a ~~[scholarship]~~ fund described by Subsection (b) [for rural students] instead of delivering the money to the comptroller as prescribed by Section 74.301.

(b) A local telephone exchange company may deliver the money under this section only to:

(1) a scholarship fund established by one or more local telephone exchange companies in this state to enable needy students from rural areas to attend college, technical school, or another postsecondary educational institution; and

(2) an economic development fund established by one or more local telephone exchange companies in this state to enable

1 rural, low-income areas to promote or support economic development
2 and stimulate infrastructure development in those areas.

3 (d) A claim for money delivered to a [~~scholarship~~] fund
4 under this section must be filed with the local telephone exchange
5 company that delivered the money. The local telephone exchange
6 company shall forward the claim to the administrator of the
7 [~~scholarship~~] fund to which the money was delivered. The
8 [~~scholarship~~] fund shall pay the claim if the fund determines in
9 good faith that the claim is valid. A person aggrieved by a claim
10 decision may file a suit against the appropriate fund in a district
11 court in the county in which the administrator of the [~~scholarship~~]
12 fund is located in accordance with Section 74.506.

13 (e) The comptroller shall prescribe forms and procedures
14 governing this section, including forms and procedures relating to:

- 15 (1) notice of presumed abandoned property;
16 (2) delivery of reported money to a [~~scholarship~~] fund
17 described by Subsection (b); and
18 (3) filing of a claim.

19 (g) During a state fiscal year, subject to Subsection (h),
20 the total amount of money that may be transferred by all local
21 telephone exchange companies under this section may not exceed \$2
22 million [~~\$800,000~~]. The comptroller shall keep a record for each
23 fund of the total amount of money transferred annually. When the
24 total amount of money transferred during a state fiscal year equals
25 the amount allowed by this subsection, the comptroller shall notify
26 each local telephone exchange company that the company may not
27 transfer any additional money to the applicable [~~company's~~

1 ~~scholarship]~~ fund of the company during the remainder of that state
2 fiscal year.

3 (h) During a state fiscal year, a local telephone exchange
4 company may not deliver to an economic development fund under this
5 section more than the greater of \$25,000 or 20 percent of the funds
6 eligible for delivery by the company under this section.

7 (i) Money delivered to an economic development fund under
8 this section may not be used to provide support for:

9 (1) telecommunication services or facilities;

10 (2) information services or facilities; or

11 (3) the planning, development, construction, or
12 maintenance of facilities that support the delivery of
13 telecommunication or information services.

14 SECTION 3. This Act takes effect September 1, 2015.