

1-1 By: Watson S.B. No. 1916
 1-2 (In the Senate - Filed March 13, 2015; March 25, 2015, read
 1-3 first time and referred to Committee on Business and Commerce;
 1-4 May 6, 2015, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 7, Nays 0; May 6, 2015, sent
 1-6 to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			
1-17			X	

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1916 By: Taylor of Galveston

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the escheat of United States savings bonds.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Chapter 74, Property Code, is amended by adding
 1-24 Subchapter G-1 to read as follows:
 1-25 SUBCHAPTER G-1. ESCHEAT OF UNITED STATES SAVINGS BONDS
 1-26 Sec. 74.651. DEFINITION. In this subchapter, "United
 1-27 States savings bond" means property, tangible or intangible, in the
 1-28 form of a savings bond issued by the United States Treasury whether
 1-29 in paper form, electronic form, or paperless form, including all
 1-30 proceeds of the savings bond.
 1-31 Sec. 74.652. ELIGIBILITY TO ESCHEAT TO STATE.
 1-32 Notwithstanding any other law, a United States savings bond that is
 1-33 presumed abandoned under this title, including a savings bond in
 1-34 the possession of the comptroller or a lost, stolen, or destroyed
 1-35 savings bond registered to a person with a last known address in the
 1-36 state, is eligible to escheat to the state if the savings bond has
 1-37 remained:
 1-38 (1) unredeemed for at least three years after the date
 1-39 of maturity; and
 1-40 (2) unclaimed for at least three years after being
 1-41 presumed abandoned.
 1-42 Sec. 74.653. CIVIL ACTION FOR ESCHEAT. (a) Except as
 1-43 provided by this subsection, not later than the 180th day after the
 1-44 date a United States savings bond becomes eligible to escheat to the
 1-45 state under Section 74.652, if a claim has not been filed under this
 1-46 chapter for the savings bond, the comptroller shall commence a
 1-47 civil action in a district court in Travis County or in any other
 1-48 court of competent jurisdiction for a determination that the
 1-49 savings bond has escheated to the state. The comptroller may
 1-50 postpone bringing the action until sufficient United States savings
 1-51 bonds have accumulated in the comptroller's custody to justify the
 1-52 expense of the proceedings.
 1-53 (b) Citation in the action shall be by publication in
 1-54 accordance with the Texas Rules of Civil Procedure.
 1-55 (c) If a claim for the United States savings bond is not
 1-56 filed with the court or the court determines that a claimant is not
 1-57 entitled to the savings bond, and if the court is satisfied by
 1-58 evidence that the comptroller has substantially complied with the
 1-59 laws of this state, the court shall enter a judgment that the
 1-60 savings bond has escheated to the state. If the savings bond

2-1 escheats to the state, all property rights and legal title to and
2-2 ownership of the savings bond and proceeds of the savings bond,
2-3 including all rights, powers, and privileges of survivorship of any
2-4 owner, co-owner, or beneficiary, vest solely in the state.

2-5 Sec. 74.654. REDEMPTION OF ESCHEATED SAVINGS BOND. (a) If
2-6 the court enters a judgment that a United States savings bond has
2-7 escheated to the state under Section 74.653, the comptroller shall
2-8 redeem the savings bond.

2-9 (b) The comptroller shall first pay all costs incident to
2-10 the collection and recovery of the proceeds from the proceeds of the
2-11 bond and shall promptly deposit the remaining proceeds in the
2-12 general revenue fund.

2-13 Sec. 74.655. CLAIM AFTER ESCHEAT. (a) After a court has
2-14 entered a judgment that a United States savings bond has escheated
2-15 to the state under Section 74.653, a person may file a claim for the
2-16 savings bond or proceeds from the savings bond with the
2-17 comptroller. If the claimant provides sufficient proof of the
2-18 validity of the claim, the comptroller may, in the comptroller's
2-19 sole discretion, pay the claim less any expenses and costs that the
2-20 state incurred in securing full title to and ownership of the
2-21 savings bond or proceeds from the savings bond.

2-22 (b) If a payment has been made to a claimant under this
2-23 section, an action may not be maintained by any other claimant
2-24 against the state or any officer of the state for the savings bond
2-25 or proceeds from the savings bond or on account of the payment.

2-26 SECTION 2. This Act takes effect immediately if it receives
2-27 a vote of two-thirds of all the members elected to each house, as
2-28 provided by Section 39, Article III, Texas Constitution. If this
2-29 Act does not receive the vote necessary for immediate effect, this
2-30 Act takes effect September 1, 2015.

2-31

* * * * *