



General Assembly

**Raised Bill No. 5533**

February Session, 2016

LCO No. 2528

\* \_\_\_\_\_ HB05533JUD \_\_\_ 033016 \_\_\_\_\_ \*

Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

**AN ACT CONCERNING THE TIME PERIOD FOR FUNDS TO ESCHEAT TO THE STATE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 3-57a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2016*):

3 (a) The following property held or owing by a banking or financial  
4 organization is presumed abandoned unless the owner thereof is  
5 known to be living by an officer of such organization:

6 (1) Any demand or savings deposit made in this state with a  
7 banking organization, together with any interest or dividend thereon,  
8 excluding any charges that lawfully may be withheld, unless the  
9 owner has, within [three] seven years: (A) Increased or decreased the  
10 amount of the deposit, or presented the passbook or other similar  
11 evidence of the deposit for the crediting of interest; or (B)  
12 corresponded in writing with the banking organization concerning the  
13 deposit; or (C) otherwise indicated an interest in the deposit as  
14 evidenced by (i) a memorandum on file with the banking organization  
15 or (ii) the fact that the Internal Revenue Service Form 1099 sent from

16 the banking organization to the owner is not returned to the banking  
17 organization by the United States Postal Service.

18 (2) Any matured time deposit made in this state with a banking  
19 organization, together with any interest or dividend thereon,  
20 excluding any charges that lawfully may be withheld, unless, within  
21 [three] seven years or, if the terms of the deposit account contract  
22 provide that the time deposit will be renewed unless the banking  
23 institution receives instructions to the contrary from the owner, within  
24 [three] seven years plus such additional time as is necessary to allow  
25 the renewed time deposit to reach maturity, the owner has: (A)  
26 Increased or decreased the amount of the deposit, or presented the  
27 passbook or other similar evidence of the deposit for the crediting of  
28 interest, or (B) corresponded in writing with the banking organization  
29 concerning the deposit, or (C) otherwise indicated an interest in the  
30 deposit as evidenced by (i) a memorandum on file with the banking  
31 organization or (ii) the fact that the Internal Revenue Service Form  
32 1099 sent from the banking organization to the owner is not returned  
33 to the banking organization by the United States Postal Service.

34 (3) Any funds paid in this state toward the purchase of shares or  
35 other interest in a financial organization or any deposit made  
36 therewith, and any interest or dividends thereon, excluding any  
37 charges that lawfully may be withheld, unless the owner has within  
38 [three] seven years: (A) Increased or decreased the amount of the  
39 investment or deposit, or presented an appropriate record for the  
40 crediting of interest or dividends thereon; or (B) corresponded in  
41 writing with the financial organization concerning the investment or  
42 deposit; or (C) otherwise indicated an interest in the funds as  
43 evidenced by (i) a memorandum on file with the financial organization  
44 or (ii) the fact that the Internal Revenue Service Form 1099 sent from  
45 the financial organization to the owner is not returned to the financial  
46 organization by the United States Postal Service.

47 (4) Any sum payable on checks certified in this state or on written  
48 instruments issued in this state on which a banking or financial

49 organization is directly liable, including, but not limited to, money  
50 orders, drafts and traveler's checks, which has been outstanding for  
51 more than [three] seven years from the date payable, or from the date  
52 of its issuance if payable on demand, unless the owner has within such  
53 [three] seven years corresponded in writing with the banking or  
54 financial organization concerning it, or otherwise indicated an interest  
55 as evidenced by (i) a memorandum on file with the banking or  
56 financial organization or (ii) the fact that the Internal Revenue Service  
57 Form 1099 sent from the banking or financial organization to the  
58 owner is not returned to the banking or financial organization by the  
59 United States Postal Service.

60 (5) Any funds or other personal property reposing in or removed  
61 from a safe deposit box or any other safekeeping repository in this  
62 state on which the lease or rental period has expired owing to  
63 nonpayment of rent or other reason, which have been unclaimed by  
64 the owner for more than five years from the date on which the lease or  
65 rental period expired.

66 (b) With respect to any funds subject to the provisions of  
67 subdivisions (1), (2) and (3) of subsection (a) of this section which are  
68 held or owing for purposes of a self-employed retirement plan or an  
69 individual retirement account, established in accordance with the  
70 applicable provisions of the Internal Revenue Code and federal  
71 regulations related thereto, such funds shall be presumed abandoned  
72 in accordance with said subdivisions (1), (2) and (3), provided in no  
73 event shall such presumption of abandonment be applicable to such  
74 funds prior to the end of a period of six months immediately following  
75 the date on which distribution of funds under any such plan, to the  
76 person for whose benefit such funds have been contributed, is required  
77 to commence under said provisions of the Internal Revenue Code and  
78 related regulations.

This act shall take effect as follows and shall amend the following sections:

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Section 1	<i>July 1, 2016</i>	3-57a
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**JUD**      *Joint Favorable*