

Texas New Legislation

Texas Senate Bill 1589 signed by the Governor on March 27, 2009. This bill takes effect on September 1, 2009.

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

SECTION 1. Subsection (c), Section 74.101, Property Code, is amended to read as follows:

- (c) The property report must include, if known by the holder:
 - (1) the name, [and] social security number, driver's license or state identification number, e-mail address [if known], and the last known address[, if any,] of:
 - (A) each person who, from the records of the holder of the property, appears to be the owner of the property;[,]
 - or
 - (B) [the name and address, if known, of] any person who is entitled to the property;
 - (2) a description of the property, the identification number, if any, and, if appropriate, a balance of each account, except as provided by Subsection (d);
 - (3) the date that the property became payable, demandable, or returnable;
 - (4) the date of the last transaction with the owner concerning the property; and
 - (5) other information that the comptroller by rule requires to be disclosed as necessary for the administration of this chapter.

SECTION 2. Subchapter B, Chapter 74, Property Code, is amended by adding Section 74.1011 to read as follows:

Sec . 74.1011 . NOTICE BY PROPERTY HOLDER REQUIRED.

- (a) Except as provided by Subsection (b), a holder who on June 30 holds property valued at more than \$250 that is presumed abandoned under Chapter 72, 73, or 75 of this code or Chapter 154, Finance Code, shall, on or before the following August 1, mail to the last known address of the known owner written notice stating that:
 - (1) the holder is holding the property; and
 - (2) the holder may be required to deliver the property to the comptroller on or before November 1 if the property is not claimed.
- (b) The notice required under Subsection (a) does not apply to a holder who:
 - (1) has already provided such notice to the owner of the property or a person entitled to the property under existing federal law, rules, and regulations or state law within the time specified under Subsection (a); or
 - (2) does not have a record of an address for the property owner or any other person entitled to the property.
- (c) A holder that provides notice under this section may charge the cost of the postage as a service charge against the property.

SECTION 3. The heading to Subchapter C, Chapter 74, Property Code, is amended to read as follows:

SUBCHAPTER C. NOTICE BY COMPTROLLER SECTION 4. Section 74.601, Property Code, is amended by adding Subsection (g) to read as follows:

- (g) If an owner does not assert a claim for unclaimed money and the owner is reported to be the state or a state agency, the comptroller may deposit the unclaimed money to the credit of the general revenue fund. The comptroller may establish procedures and adopt rules as necessary to implement this subsection.

SECTION 5. Subchapter A, Chapter 411, Government Code, is amended by adding Section 411.0111 to read as follows:

Sec . 411.0111 . PROVISION OF CERTAIN INFORMATION TO COMPTROLLER.

- (a) Not later than June 1 of each year, the department shall provide to the comptroller, for the purpose of assisting the comptroller in the identification of persons entitled to unclaimed property reported to the comptroller, the name, address, social security number, date of birth, and driver's license or state identification number of each person about whom the department has such information in its records.
- (b) Information provided to the comptroller under this section is confidential and may not be disclosed to the public.
- (c) The department shall provide the information in the format prescribed by rule of the comptroller.

SECTION 6. Subchapter A, Chapter 811, Government Code, is amended by adding Section 811.010 to read as follows:

Sec . 811.010 . PROVISION OF CERTAIN INFORMATION TO COMPTRROLLER.

- (a) Not later than June 1 of each year, the retirement system shall provide to the comptroller, for the purpose of assisting the comptroller in the identification of persons entitled to unclaimed property reported to the comptroller, the name, address, social security number, and date of birth of each member, retiree, and beneficiary from the retirement system's records.
- (b) Information provided to the comptroller under this section is confidential and may not be disclosed to the public.
- (c) The retirement system shall provide the information in the format prescribed by rule of the comptroller.

SECTION 7. Subchapter A, Chapter 821, Government Code, is amended by adding Section 821.010 to read as follows:

Sec . 821.010 . PROVISION OF CERTAIN INFORMATION TO COMPTRROLLER.

- (a) Not later than June 1 of each year, the retirement system shall provide to the comptroller, for the purpose of assisting the comptroller in the identification of persons entitled to unclaimed property reported to the comptroller, the name, address, social security number, and date of birth of each member, retiree, and beneficiary from the retirement system's records.
- (b) Information provided to the comptroller under this section is confidential and may not be disclosed to the public.
- (c) The retirement system shall provide the information in the format prescribed by rule of the comptroller.

SECTION 8. Subchapter F, Chapter 301, Labor Code, is amended by adding Section 301.086 to read as follows:
Sec . 301.086 . PROVISION OF CERTAIN INFORMATION TO COMPTRROLLER.

- (a) Not later than June 1 of each year, the commission shall provide to the comptroller, for the purpose of assisting the comptroller in the identification of persons entitled to unclaimed property reported to the comptroller, the name, address, social security number, and date of birth of each person about whom the commission has such information in its records.
- (b) Information provided to the comptroller under this section is confidential and may not be disclosed to the public.
- (c) The commission shall provide the information in the format prescribed by rule of the comptroller.

SECTION 9. The heading to Section 521.044, Transportation Code, is amended to read as follows:

Sec. 521.044. USE OR DISCLOSURE OF SOCIAL SECURITY NUMBER INFORMATION [FOR CHILD SUPPORT COLLECTION]. SECTION 10. Subsection (a), Section 521.044, Transportation Code, is amended to read as follows:

- (a) Information provided on a driver's license application that relates to the applicant's social security number may be used only by the department or disclosed only to:
 - (1) the child support enforcement division of the attorney general's office;
 - (2) another state entity responsible for enforcing the payment of child support; [or]
 - (3) the United States Selective Service System as provided by Section 521.147; or
 - (4) the unclaimed property division of the comptroller's office.

SECTION 11. This Act takes effect September 1, 2009.