

HOUSE BILL 761

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CF SB 665

By: **The Speaker (By Request – Office of the Comptroller)**

Introduced and read first time: January 27, 2025

Assigned to: Economic Matters

Reassigned: Health and Government Operations, February 3, 2025

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 1, 2025

CHAPTER _____

1 AN ACT concerning

2 **Maryland Uniform Disposition of Abandoned Property Act – Revisions**

3 FOR the purpose of making certain virtual currency subject to the abandoned property laws
4 in the State; establishing provisions to determine certain information about certain
5 apparent owners of abandoned property; providing that a certain operation does not
6 prevent certain insurance policies from maturing or terminating; altering and
7 establishing certain provisions pertaining to the presumption of abandonment for
8 certain types of property; establishing certain procedures to establish the death of a
9 certain insured or certain annuitant; altering the dollar value at which the
10 Comptroller is required to publish certain notice; authorizing the Comptroller to
11 retain, for certain purposes, certain funding from proceeds obtained through the
12 disposition of abandoned property; altering the procedures for filing a claim with the
13 Comptroller to reclaim abandoned property; and generally relating to the Maryland
14 Uniform Disposition of Abandoned Property Act.

15 BY repealing and reenacting, with amendments,
16 Article – Commercial Law
17 Section 17–101, 17–301, 17–302, 17–304(a)(2)(i), 17–308(d), 17–308.1(b), 17–311(c),
18 17–317(a)(1), and 17–318 through 17–320
19 Annotated Code of Maryland
20 (2013 Replacement Volume and 2024 Supplement)

21 BY adding to
22 Article – Commercial Law

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 17–301, 17–302.1, 17–306.1, 17–307.2, and 17–319.1
2 Annotated Code of Maryland
3 (2013 Replacement Volume and 2024 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
5 That the Laws of Maryland read as follows:

6 **Article – Commercial Law**

7 17–101.

8 (a) In this title the following words have the meanings indicated.

9 (b) (1) “Abandoned property” means personal property that is considered
10 abandoned under this title.

11 (2) “Abandoned property” includes property in the custody of the federal
12 government that is classified as “unclaimed property” under federal law.

13 (c) “Administrator” means the State Comptroller.

14 **(D) “APPARENT OWNER” MEANS A PERSON WHOSE NAME APPEARS ON A**
15 **RECORD OF A HOLDER AS THE OWNER OF PROPERTY HELD, ISSUED, OR OWING BY**
16 **THE HOLDER.**

17 **[(d)] (E)** “Banking organization” means any bank, trust company, savings bank,
18 land bank, and any other similar organization engaged in business in the State.

19 **[(e)] (F)** “Business association” means any corporation, joint stock company,
20 business trust, statutory trust, partnership, or any association for business purposes of two
21 or more individuals.

22 **[(f)] (G)** “County” includes Baltimore City.

23 **[(g)] (H)** “Federal government” includes any of its agencies or instrumentalities.

24 **[(h)] (I)** “Financial organization” means any savings and loan association or
25 credit union engaged in business in the State.

26 **[(j)] (J) “GIFT CARD” MEANS A GIFT CARD DESCRIBED IN § 14–1320 OF THIS**
27 **ARTICLE.**

28 **[(k)] (K) “GIFT CERTIFICATE” HAS THE MEANING STATED IN § 14–1319 OF THIS**
29 **ARTICLE.**

30 **[(i)] ~~(j)~~ (L)** “Holder” means any person who is:

1 (1) In possession of property subject to this title belonging to another;

2 (2) A trustee, in the case of a trust; or

3 (3) Indebted to another on an obligation subject to this title.

4 ~~(K)~~ (M) "INDICATION OF APPARENT OWNER INTEREST IN PROPERTY"
5 MEANS:

6 (1) A RECORD COMMUNICATED BY THE APPARENT OWNER TO THE
7 HOLDER OR AGENT OF THE HOLDER CONCERNING THE PROPERTY OR THE ACCOUNT
8 IN WHICH THE PROPERTY IS HELD;

9 (2) AN ORAL COMMUNICATION BY THE APPARENT OWNER TO THE
10 HOLDER OR AGENT OF THE HOLDER CONCERNING THE PROPERTY OR THE ACCOUNT
11 IN WHICH THE PROPERTY IS HELD, IF THE HOLDER OR ITS AGENT
12 CONTEMPORANEOUSLY MAKES AND PRESERVES A RECORD OF THE FACT OF THE
13 APPARENT OWNER'S COMMUNICATION;

14 (3) FOR AN ACCOUNT, UNDERLYING SECURITY, OR INTEREST IN A
15 BUSINESS ASSOCIATION, THE PRESENTMENT OF:

16 (I) A CHECK OR OTHER INSTRUMENT OF PAYMENT OF A
17 DIVIDEND, INTEREST PAYMENT, OR OTHER DISTRIBUTION; OR

18 (II) EVIDENCE OF RECEIPT OF A DISTRIBUTION MADE BY
19 ELECTRONIC OR SIMILAR MEANS;

20 (4) ACTIVITY DIRECTED BY AN APPARENT OWNER IN THE ACCOUNT
21 IN WHICH THE PROPERTY IS HELD, INCLUDING:

22 (I) ACCESSING THE ACCOUNT OR INFORMATION CONCERNING
23 THE ACCOUNT; OR

24 (II) A DIRECTION BY THE APPARENT OWNER TO INCREASE,
25 DECREASE, OR OTHERWISE CHANGE THE AMOUNT OR TYPE OF PROPERTY HELD IN
26 THE ACCOUNT;

27 (5) A DEPOSIT INTO OR WITHDRAWAL FROM AN ACCOUNT AT A
28 FINANCIAL INSTITUTION, INCLUDING AN AUTOMATIC DEPOSIT OR WITHDRAWAL
29 PREVIOUSLY AUTHORIZED BY THE APPARENT OWNER OTHER THAN AN AUTOMATIC
30 REINVESTMENT OF DIVIDENDS OR INTEREST;

1 **(6) SUBJECT TO § 17-301(A)(3) OF THIS TITLE, PAYMENT OF A**
 2 **PREMIUM ON AN INSURANCE POLICY; AND**

3 **(7) ANY OTHER ACTION BY THE APPARENT OWNER THAT**
 4 **REASONABLY DEMONSTRATES TO THE HOLDER THAT THE APPARENT OWNER KNOWS**
 5 **THAT THE PROPERTY EXISTS.**

6 **[(j)] ~~(H)~~ (N)** “Insurance corporation” means any association or corporation
 7 transacting in the State the business of insurance on the lives of persons or insurance
 8 pertaining to life insurance, including endowments and annuities, disability, accident and
 9 health insurance, and property, casualty, and surety insurance, as these terms are defined
 10 in the Insurance Article.

11 **[(k)] ~~(M)~~ (O)** “Owner” means:

12 (1) In the case of a deposit, a depositor or a person entitled to receive the
 13 funds as reflected on the records of the bank or financial organization;

14 (2) In the case of a trust, a beneficiary;

15 (3) In the case of other choses in action, a creditor, claimant, or payee;

16 (4) In the case of abandoned property in federal custody, the person who is
 17 defined as the owner by any applicable federal law; **[or]**

18 (5) Any person who has a legal or equitable interest in property subject to
 19 this title, or the legal representative of that person; **OR**

20 **(6) IN THE CASE OF A PENSION ACCOUNT OR RETIREMENT ACCOUNT**
 21 **THAT QUALIFIES FOR TAX DEFERRAL UNDER THE INCOME TAX PROVISIONS OF THE**
 22 **INTERNAL REVENUE CODE, THE PAYEE.**

23 **[(l)] ~~(N)~~ (P)** “Person” includes the State, any county, municipal corporation, or other
 24 political subdivision of the State, or any of their units, an individual, business association,
 25 corporation, business trust, statutory trust, estate, trust, partnership, association, two or
 26 more persons having a joint or common interest, or any other legal or commercial entity.

27 **[(m)] ~~(O)~~ (Q)** “Personal property” does not include:

28 (1) A gift certificate **OR A GIFT CARD**;

29 (2) Credits in connection with the sale of consumer goods to a wholesaler
 30 or retailer in the ordinary course of business;

1 (3) Outstanding checks or credits issued to vendors or commercial
 2 customers in the ordinary course of business, other than property described in [§ 17-301(a)]
 3 **§ 17-301.1(A)** of this title held by a banking organization or financial organization;

4 (4) Credit balances in vendor or commercial customer accounts that occur
 5 in the ordinary course of business, other than property described in [§ 17-301(a)] **§**
 6 **17-301.1(A)** of this title held by a banking organization or financial organization; or

7 (5) Purchase price rebates issued to customers in the ordinary course of
 8 business.

9 ~~(P)~~ **(R)** “**RECORD**” MEANS INFORMATION THAT IS:

10 (1) **INSCRIBED ON A TANGIBLE MEDIUM; OR**

11 (2) **STORED IN AN ELECTRONIC OR OTHER MEDIUM AND**
 12 **RETRIEVABLE IN PERCEIVABLE FORM.**

13 [(n)] ~~(Q)~~ **(S)** “Service charge” means any type of deduction or charge made by a
 14 holder on property presumed abandoned under this title.

15 [(o)] ~~(R)~~ **(T)** “Utility” means any person who owns or operates in the State, for public
 16 use, any plant, equipment, property, franchise, or license for the transmission of
 17 communications, for the production, storage, transmission, sale, delivery, or furnishing of
 18 electricity, water, steam, or gas, or for the transportation of persons or property.

19 ~~(S)~~ **(U)** (1) “**VIRTUAL CURRENCY**” MEANS A DIGITAL REPRESENTATION
 20 OF VALUE USED AS A MEDIUM OF EXCHANGE, UNIT OF ACCOUNT, OR STORE OF
 21 VALUE THAT DOES NOT HAVE LEGAL TENDER STATUS RECOGNIZED BY THE UNITED
 22 STATES.

23 (2) “**VIRTUAL CURRENCY**” DOES NOT INCLUDE:

24 (I) **THE SOFTWARE OR PROTOCOLS GOVERNING THE**
 25 **TRANSFER OF THE DIGITAL REPRESENTATION OF VALUE;**

26 (II) **GAME-RELATED DIGITAL CONTENT; OR**

27 (III) **A LOYALTY CARD.**

28 **17-301.**

29 (A) **FOR PURPOSES OF THIS SUBTITLE:**

1 (1) AN ACTION BY AN AGENT OR OTHER REPRESENTATIVE OF AN
2 APPARENT OWNER, OTHER THAN A HOLDER ACTING AS THE APPARENT OWNER'S
3 AGENT, IS PRESUMED TO BE AN ACTION ON BEHALF OF THE APPARENT OWNER; AND

4 (2) A COMMUNICATION WITH AN APPARENT OWNER BY A PERSON
5 OTHER THAN THE HOLDER OR THE HOLDER'S REPRESENTATIVE IS NOT AN
6 INDICATION OF APPARENT OWNER INTEREST IN PROPERTY UNLESS A RECORD OF
7 THE COMMUNICATION EVIDENCES THE APPARENT OWNER'S KNOWLEDGE OF A
8 RIGHT TO THE PROPERTY; ~~AND.~~

9 ~~(3) IF AN INSURED DIES OR THE INSURED OR BENEFICIARY OF AN
10 INSURANCE POLICY OTHERWISE BECOMES ENTITLED TO THE PROCEEDS BEFORE
11 DEPLETION OF THE CASH SURRENDER VALUE OF THE POLICY BY OPERATION OF AN
12 AUTOMATIC PREMIUM LOAN PROVISION OR OTHER NONFORFEITURE PROVISION
13 CONTAINED IN THE POLICY, THE OPERATION OF THE PROVISION DOES NOT
14 PREVENT THE POLICY FROM MATURING OR TERMINATING.~~

15 (B) WHEN DETERMINING THE ADDRESS OF AN APPARENT OWNER UNDER
16 THIS SUBTITLE:

17 (1) (I) THE LAST KNOWN ADDRESS OF AN APPARENT OWNER
18 INCLUDES ANY DESCRIPTION, CODE, OR OTHER INDICATION OF THE LOCATION OF
19 THE APPARENT OWNER THAT IDENTIFIES A STATE; AND

20 (II) AN INDICATION OF THE LOCATION OF THE APPARENT
21 OWNER THAT IDENTIFIES A STATE DOES NOT NEED TO BE SUFFICIENT TO DIRECT
22 THE DELIVERY OF FIRST-CLASS MAIL TO THE APPARENT OWNER;

23 (2) THIS STATE IS DEEMED TO BE THE STATE OF THE LAST KNOWN
24 ADDRESS OF THE APPARENT OWNER IF:

25 (I) THE POSTAL ZIP CODE ASSOCIATED WITH THE APPARENT
26 OWNER IS FOR A POST OFFICE LOCATED IN THIS STATE; AND

27 (II) THERE ARE NO OTHER RECORDS ASSOCIATED WITH THE
28 APPARENT OWNER THAT SPECIFICALLY IDENTIFY THE PHYSICAL ADDRESS OF THE
29 APPARENT OWNER TO BE IN ANOTHER STATE;

30 (3) ANOTHER STATE IS DEEMED TO BE THE STATE OF THE LAST
31 KNOWN ADDRESS OF THE APPARENT OWNER IF:

32 (I) THE POSTAL ZIP CODE ASSOCIATED WITH THE APPARENT
33 OWNER IS FOR A POST OFFICE LOCATED OUTSIDE THIS STATE; AND

1 **(II) THERE ARE NO OTHER RECORDS ASSOCIATED WITH THE**
2 **APPARENT OWNER THAT SPECIFICALLY IDENTIFY THE PHYSICAL ADDRESS OF THE**
3 **APPARENT OWNER TO BE IN THIS STATE; AND**

4 **(4) THE ADDRESS OF THE APPARENT OWNER OF A LIFE OR**
5 **ENDOWMENT INSURANCE POLICY OR ANNUITY CONTRACT OR ITS PROCEEDS IS**
6 **PRESUMED TO BE THE ADDRESS OF THE INSURED OR ANNUITANT IF:**

7 **(I) A PERSON OTHER THAN THE INSURED OR ANNUITANT IS**
8 **ENTITLED TO THE AMOUNT OWED UNDER THE POLICY OR CONTRACT; AND**

9 **(II) THE ADDRESS OF THE PERSON ENTITLED TO THE AMOUNT**
10 **OWED UNDER THE POLICY OR CONTRACT IS:**

11 1. **NOT KNOWN BY THE INSURANCE COMPANY; AND**

12 2. **CANNOT BE DETERMINED UNDER § 17-301.1(D) OF**
13 **THIS SUBTITLE.**

14 **[17-301.] 17-301.1.**

15 (a) (1) For purposes of this section and subject to paragraph (2) of this
16 subsection, a holder shall be deemed to no longer have a valid address for the owner of the
17 property as of the later of:

18 (i) The date a second communication is returned by the U.S. Postal
19 Service to a holder as undeliverable to an apparent owner, if:

20 1. The holder sent the second communication to the apparent
21 owner by first-class mail; and

22 2. A previous communication was:

23 A. Sent by first-class mail;

24 B. Sent immediately preceding the second communication;

25 and

26 C. Returned by the U.S. Postal Service to the holder as
27 undeliverable to the apparent owner; or

28 (ii) The date a previous communication is returned by the U.S.
29 Postal Service to a holder as undeliverable to an apparent owner, if the holder:

30 1. Sent the previous communication to the apparent owner:

- 1 A. By first-class mail; and
- 2 B. Immediately preceding a second communication; and
- 3 2. Sent the second communication to the apparent owner:
- 4 A. By first-class mail; and
- 5 B. More than 30 days after the previous communication
- 6 under this subparagraph was sent.

7 (2) (i) Subject to subparagraph (ii) of this paragraph, if the holder does

8 not send communications to an apparent owner by first-class mail, the holder shall attempt

9 to confirm the apparent owner's interest in the property by e-mailing the apparent owner

10 not later than 2 years after the apparent owner's last indication of interest in the property.

11 (ii) The holder shall promptly attempt to contact the apparent owner

12 by first-class mail if:

13 1. The holder does not have the information needed to send

14 an e-mail to the apparent owner;

15 2. The holder believes the apparent owner's e-mail address

16 in the holder's records is not valid;

17 3. The holder receives notification that the e-mail was not

18 received; or

19 4. The apparent owner does not respond to the e-mail

20 communication within 30 days after the e-mail was sent.

21 (iii) 1. If a mailing sent in accordance with subparagraph (ii) of

22 this paragraph is returned by the U.S. Postal Service to the holder as undeliverable to the

23 apparent owner, the mailing shall constitute a communication for purposes of paragraph

24 (1) of this subsection.

25 2. If a mailing sent in accordance with subparagraph (ii) of

26 this paragraph is not returned by the U.S. Postal Service to the holder as undeliverable to

27 the apparent owner, the holder shall be presumed to have a valid address for the owner of

28 the property.

29 (b) The following property held by a banking or financial organization[,] or

30 business association is presumed abandoned:

31 (1) Any demand, savings, or matured time deposit account made with a

32 banking organization, together with any interest or dividend on it, excluding any charges

33 that lawfully may be withheld, 3 years after the later of:

1 (i) The date the holder is deemed to no longer have a valid address
2 for the owner of the property; or

3 (ii) The date the owner last:

4 1. Increased or decreased the amount of the deposit;

5 2. Presented evidence of the deposit for the crediting of
6 interest;

7 3. Corresponded in writing with the banking organization
8 concerning the deposit;

9 **4. ACCESSED THE ACCOUNT OR INFORMATION**
10 **CONCERNING THE ACCOUNT;**

11 [4.] **5.** Engaged in any credit, trust, or other deposit transaction
12 with the banking organization; or

13 [5.] **6.** Otherwise indicated an interest in the deposit as
14 evidenced by a memorandum on file with the banking organization;

15 (2) Any funds paid toward the purchase of shares or other interest in a
16 financial organization, or any deposit made with these funds, and any interest or dividends
17 on these, excluding any charges that lawfully may be withheld, 3 years after the later of:

18 (i) The date the holder is deemed to no longer have a valid address
19 for the owner of the property; or

20 (ii) The date the owner last:

21 1. Increased or decreased the amount of the funds or deposit,
22 or presented an appropriate record for the crediting of interest or dividends;

23 2. Corresponded in writing with the financial organization
24 concerning the funds or deposit;

25 **3. ACCESSED THE ACCOUNT OR INFORMATION**
26 **CONCERNING THE ACCOUNT;**

27 [3.] **4.** Engaged in any credit, share, or other deposit transaction
28 with the financial organization; or

29 [4.] **5.** Otherwise indicated an interest in the funds or deposit as
30 evidenced by a memorandum on file with the financial organization;

1 (3) Any sum payable on a check certified in this State or on a written
2 instrument issued in this State on which a banking or financial organization or business
3 association is directly liable, including any certificate of deposit, draft, traveler's check, and
4 money order, that has been outstanding for more than 3 years from the date it was payable
5 (or 15 years in the case of a traveler's check) or, if payable on demand, from the date of its
6 issuance, unless, within 3 years or 15 years in the case of a traveler's check, the owner has:

7 (i) Corresponded in writing with the banking or financial
8 organization or business association concerning it; [or]

9 (II) **ACCESSED THE ACCOUNT OR INFORMATION CONCERNING**
10 **THE ACCOUNT; OR**

11 [(ii)] (III) Otherwise indicated an interest as evidenced by a
12 memorandum on file with the banking or financial organization or business association;
13 and

14 (4) Any property removed from a safekeeping repository on which the lease
15 or rental period has expired or any surplus amounts arising from the sale of the property
16 pursuant to law, that have been unclaimed by the owner for more than 3 years from the
17 date on which the lease or rental period expired.

18 (c) Nothing in this section shall be construed to apply to any demand, savings, or
19 matured time deposits that are designated subject to the order of any court of this State.

20 (d) Property is subject to the custody of this State as unclaimed property if the
21 conditions raising a presumption of abandonment under this section are met and:

22 (1) The last known address, as shown on the records of the holder, of the
23 apparent owner is in this State;

24 (2) The records of the holder do not reflect the identity of the person
25 entitled to the property and it is established that the last known address of the person
26 entitled to the property is in this State;

27 (3) The records of the holder do not reflect the last known address of the
28 apparent owner, and it is established that:

29 (i) The last known address of the person entitled to the property is
30 in this State; or

31 (ii) The holder is a domiciliary or a government or governmental
32 subdivision or agency of this State and has not previously paid or delivered the property to
33 the State of the last known address of the apparent owner or other person entitled to the
34 property;

1 (4) The last known address, as shown on the records of the holder, of the
2 apparent owner is in a state that does not provide by law for the escheat or custodial taking
3 of the property or its escheat or unclaimed property law is not applicable to the property
4 and the holder is a domiciliary or a government or governmental subdivision or agency of
5 this State;

6 (5) The last known address, as shown on the records of the holder, of the
7 apparent owner is in a foreign nation and the holder is a domiciliary or a government or
8 governmental subdivision or agency of this State; or

9 (6) The transaction out of which the property arose occurred in this State
10 and:

11 (i) The last known address of the apparent owner or other person
12 entitled to the property is unknown or the last known address of the apparent owner or
13 other person entitled to the property is in a state that does not provide by law for the escheat
14 or custodial taking of the property or its escheat or unclaimed property law is not applicable
15 to the property; and

16 (ii) The holder is a domiciliary of a state that does not provide by law
17 for the escheat or custodial taking of the property or its escheat or unclaimed property law
18 is not applicable to the property.

19 (e) The running of the 3-year period of abandonment ceases immediately on:

20 (1) The holder obtaining a valid address for the owner of the property; or

21 (2) The occurrence of an action referred to in subsection (b)(1)(ii) or (2)(ii)
22 of this section.

23 17-302.

24 (a) Funds held or owing under any life or endowment insurance policy or annuity
25 contract that has matured or terminated are presumed abandoned if unclaimed for more
26 than 3 years after the funds **FIRST** become due and payable [as established from the
27 records of the insurance company holding or owing the funds] **IN ACCORDANCE WITH:**

28 **(1) THE INSURANCE POLICY OR ANNUITY CONTRACT; OR**

29 **(2) SECTION 16-118 OF THE INSURANCE ARTICLE.**

30 (b) [If a person other than the insured or annuitant is entitled to the funds and
31 an address of the person is not known to the company or it is not definite and certain from
32 the records of the company who is entitled to the funds, it is presumed that the last known
33 address of the person entitled to the funds is the same as the last known address of the
34 insured or annuitant according to the records of the company.

1 (c)] For purposes of this subtitle, a life or endowment insurance policy or annuity
2 contract not matured by actual proof of the death of the insured or annuitant according to
3 the records of the **INSURANCE** company is matured and the proceeds due and payable if:

4 (1) The company knows that the insured or annuitant has died; or

5 (2) (i) The insured has attained, or would have attained if [he] **THE**
6 **INSURED** were living, the limiting age under the mortality table on which the reserve is
7 based;

8 (ii) The policy was in force at the time the insured attained, or would
9 have attained, the limiting age specified in item (i) of this paragraph; and

10 (iii) Neither the insured nor any other person appearing to have an
11 interest in the policy within the preceding 3 years, according to the records of the company,
12 has assigned, readjusted, or paid premiums on the policy, subjected the policy to a loan,
13 corresponded in writing with the company concerning the policy, or otherwise indicated an
14 interest as evidenced by a memorandum or other record on file prepared by an employee of
15 the company.

16 [(d)] (C) (1) (I) “Unclaimed funds”, as defined in paragraph (2) of this
17 subsection, held by a fire, casualty, or surety insurance corporation, shall be presumed
18 abandoned if the last known address of the person entitled to the funds, according to the
19 records of the corporation, is in this State.

20 (II) If a person other than the insured, the principal, or the claimant
21 is entitled to the funds and the address of the person is not known to the corporation or if
22 it is not definite and certain from the records of the corporation which person is entitled to
23 the funds, it is presumed that the last known address of the person entitled to the funds is
24 the same as the last known address of the insured, the principal, or the claimant according
25 to the records of the corporation.

26 (2) “Unclaimed funds”, as used in this subsection, means all money held by
27 any fire, casualty, or surety insurance corporation unclaimed and unpaid for more than 3
28 years after the money becomes due and payable, as established from the records of the
29 corporation, either to an insured, a principal, or a claimant under any fire, casualty, or
30 surety insurance policy or contract.

31 [(e)] (D) Money otherwise payable according to the records of the corporation is
32 considered due and payable although the policy or contract has not been surrendered as
33 required.

34 **17-302.1.**

35 (A) **IN THIS SECTION, “DEATH MASTER FILE” MEANS:**

1 **(1) THE SOCIAL SECURITY ADMINISTRATION DEATH MASTER FILE;**
2 **OR**

3 **(2) ANY OTHER DATABASE OR SERVICE THAT IS AT LEAST AS**
4 **COMPREHENSIVE AS THE SOCIAL SECURITY ADMINISTRATION DEATH MASTER**
5 **FILE FOR DETERMINING THAT AN INDIVIDUAL REPORTEDLY HAS DIED.**

6 **(B) FOR PURPOSES OF THIS SECTION:**

7 **(1) A DEATH MASTER FILE MATCH DESCRIBED UNDER SUBSECTION**
8 **(C)(3) AND (4) OF THIS SECTION OCCURS IF THE CRITERIA FOR AN EXACT OR**
9 **PARTIAL MATCH ARE SATISFIED AS PROVIDED BY:**

10 **(I) THE INSURANCE ARTICLE; OR**

11 **(II) A RULE OR POLICY ADOPTED BY THE MARYLAND**
12 **INSURANCE COMMISSIONER.**

13 **(2) A DEATH MASTER FILE MATCH OR VALIDATION OF THE INSURED'S**
14 **OR ANNUITANT'S DEATH DOES NOT ALTER THE REQUIREMENTS FOR A BENEFICIARY,**
15 **ANNUITANT, OR OWNER OF THE POLICY OR CONTRACT TO MAKE A CLAIM TO**
16 **RECEIVE PROCEEDS UNDER THE TERMS OF THE POLICY OR CONTRACT.**

17 **(3) AN INSURED OR AN ANNUITANT IS PRESUMED DEAD IF THE DATE**
18 **OF THE INSURED'S OR ANNUITANT'S DEATH IS INDICATED BY A DEATH MASTER FILE**
19 **MATCH DESCRIBED UNDER SUBSECTION (C)(3) AND (4) OF THIS SECTION, UNLESS**
20 **THE INSURANCE COMPANY HAS COMPETENT AND SUBSTANTIAL EVIDENCE THAT**
21 **THE INSURED OR ANNUITANT IS LIVING, INCLUDING A CONTACT MADE BY THE**
22 **COMPANY WITH THE INSURED OR ANNUITANT OR THE INSURED'S OR ANNUITANT'S**
23 **LEGAL REPRESENTATIVE.**

24 **(C) WITH RESPECT TO A LIFE OR ENDOWMENT INSURANCE POLICY OR**
25 **ANNUITY CONTRACT FOR WHICH AN AMOUNT IS OWED ON PROOF OF DEATH, BUT**
26 **THAT HAS NOT MATURED BY PROOF OF DEATH OF THE INSURED OR ANNUITANT, THE**
27 **INSURANCE COMPANY SHALL BE DEEMED TO HAVE KNOWLEDGE OF THE DEATH OF**
28 **AN INSURED OR ANNUITANT WHEN:**

29 **(1) THE COMPANY RECEIVES A DEATH CERTIFICATE OR COURT**
30 **ORDER DETERMINING THAT THE INSURED OR ANNUITANT HAS DIED;**

31 **(2) THE COMPANY RECEIVES NOTICE OF THE DEATH OF THE INSURED**
32 **OR ANNUITANT FROM:**

1 (I) THE ADMINISTRATOR OR AN UNCLAIMED PROPERTY
2 ADMINISTRATOR OF ANOTHER STATE;

3 (II) A BENEFICIARY;

4 (III) A POLICY OWNER;

5 (IV) A RELATIVE OF THE INSURED OR ANNUITANT;

6 (V) A REPRESENTATIVE OF THE INSURED OR ANNUITANT,
7 INCLUDING AN ADMINISTRATOR, A GUARDIAN, A STANDBY GUARDIAN, OR A
8 TEMPORARY GUARDIAN; OR

9 (VI) AN EXECUTOR OR OTHER LEGAL REPRESENTATIVE OF THE
10 INSURED'S OR ANNUITANT'S ESTATE;

11 (3) (I) THE COMPANY CONDUCTS A COMPARISON FOR ANY
12 PURPOSE BETWEEN A DEATH MASTER FILE AND THE NAMES OF SOME OR ALL OF THE
13 COMPANY'S INSURED OR ANNUITANTS; AND

14 (II) FINDS A MATCH THAT PROVIDES NOTICE THAT THE
15 INSURED OR ANNUITANT HAS DIED; OR

16 (4) (I) THE ADMINISTRATOR OR THE ADMINISTRATOR'S AGENT IN
17 THE NORMAL COURSE OF BUSINESS CONDUCTS A COMPARISON FOR THE PURPOSE
18 OF FINDING MATCHES BETWEEN A DEATH MASTER FILE AND THE NAMES OF SOME
19 OR ALL OF THE COMPANY'S INSURED OR ANNUITANTS; AND

20 (II) FINDS A MATCH THAT PROVIDES NOTICE THAT THE
21 INSURED OR ANNUITANT HAS DIED.

22 (D) A HOLDER OF FUNDS UNDER § 17-302 OF THIS SUBTITLE SHALL, ON AT
23 LEAST AN ANNUAL BASIS:

24 (1) CONDUCT A DEATH MASTER FILE EXAMINATION AND
25 COMPARISON DESCRIBED UNDER SUBSECTION (C)(3) OF THIS SECTION ON ALL
26 INSURED AND ANNUITANTS; AND

27 (2) MAKE A RECORD OF THE DATE ON WHICH ANY EXAMINATION AND
28 COMPARISON UNDER ITEM (1) OF THIS SUBSECTION OCCURS.

29 17-304.

30 (a) (2) (i) Subject to subparagraph (ii) of this paragraph, if the holder does
31 not send communications to an apparent owner by first-class mail, the holder shall attempt

1 to confirm the apparent owner's interest in the property by e-mailing the apparent owner
2 not later than 2 years after the apparent owner's last indication of **APPARENT OWNER**
3 interest in the property.

4 **17-306.1.**

5 (A) IN THIS SECTION, "RETURNED AS UNDELIVERABLE" MEANS RETURNED
6 BY THE U.S. POSTAL SERVICE TO THE HOLDER AS UNDELIVERABLE TO THE
7 APPARENT OWNER.

8 (B) PROPERTY HELD IN A PENSION ACCOUNT OR RETIREMENT ACCOUNT
9 THAT QUALIFIES FOR TAX DEFERRAL UNDER THE INCOME TAX PROVISIONS OF THE
10 INTERNAL REVENUE CODE IS PRESUMED ABANDONED IF IT IS UNCLAIMED BY AN
11 APPARENT OWNER OF THE ACCOUNT AFTER THE LATER OF:

12 (1) SUBJECT TO SUBSECTIONS (D) THROUGH (F) OF THIS SECTION, 3
13 YEARS AFTER:

14 (I) THE DATE A FIRST COMMUNICATION SENT BY THE HOLDER
15 BY FIRST-CLASS MAIL TO THE APPARENT OWNER IS RETURNED AS UNDELIVERABLE;
16 OR

17 (II) THE DATE A SECOND COMMUNICATION SENT BY THE
18 HOLDER BY FIRST-CLASS MAIL TO THE APPARENT OWNER IS RETURNED AS
19 UNDELIVERABLE, IF THE SECOND COMMUNICATION IS SENT WITHIN 30 DAYS AFTER
20 THE DATE OF THE FIRST COMMUNICATION UNDER ITEM (I) OF THIS ITEM IS
21 RETURNED AS UNDELIVERABLE; OR

22 (2) IF APPLICABLE, THE EARLIER OF THE FOLLOWING DATES:

23 (I) 3 YEARS AFTER THE DATE THE APPARENT OWNER BECOMES
24 72 YEARS OLD, IF DETERMINABLE BY THE HOLDER; OR

25 (II) SUBJECT TO SUBSECTION (C) OF THIS SECTION, IF THE
26 INTERNAL REVENUE CODE REQUIRES DISTRIBUTION TO AVOID A TAX PENALTY, 2
27 YEARS AFTER THE DATE THE HOLDER:

28 1. RECEIVES CONFIRMATION OF THE DEATH OF THE
29 APPARENT OWNER IN THE ORDINARY COURSE OF ITS BUSINESS; OR

30 2. CONFIRMS THE DEATH OF THE APPARENT OWNER.

31 (C) FOR PURPOSES OF ESTABLISHING A PRESUMPTION OF ABANDONED
32 PROPERTY UNDER THIS SECTION, IF A HOLDER IN THE ORDINARY COURSE OF ITS

1 BUSINESS RECEIVES NOTICE OR AN INDICATION OF THE DEATH OF AN APPARENT
2 OWNER AND SUBSECTION (B)(2)(II) OF THIS SECTION APPLIES, THE HOLDER SHALL
3 ATTEMPT NOT LATER THAN 90 DAYS AFTER RECEIPT OF THE NOTICE OR INDICATION
4 TO CONFIRM WHETHER THE APPARENT OWNER IS DECEASED.

5 (D) SUBJECT TO SUBSECTION (E) OF THIS SECTION, IF THE HOLDER DOES
6 NOT SEND COMMUNICATIONS TO THE APPARENT OWNER OF AN ACCOUNT BY
7 FIRST-CLASS MAIL AS DESCRIBED IN SUBSECTION (B) OF THIS SECTION, THE
8 HOLDER SHALL ATTEMPT TO CONFIRM THE APPARENT OWNER'S INTEREST IN THE
9 PROPERTY BY SENDING THE APPARENT OWNER AN E-MAIL NOT LATER THAN 2
10 YEARS AFTER THE LAST INDICATION OF APPARENT OWNER INTEREST IN THE
11 PROPERTY.

12 (E) THE HOLDER SHALL PROMPTLY ATTEMPT TO CONTACT THE APPARENT
13 OWNER BY REGISTERED MAIL IF:

14 (1) THE HOLDER DOES NOT HAVE INFORMATION NEEDED TO SEND
15 THE APPARENT OWNER AN E-MAIL OR THE HOLDER BELIEVES THAT THE APPARENT
16 OWNER'S E-MAIL ADDRESS IN THE HOLDER'S RECORDS IS NOT VALID;

17 (2) THE HOLDER RECEIVES NOTIFICATION THAT THE E-MAIL WAS
18 NOT RECEIVED; OR

19 (3) THE APPARENT OWNER DOES NOT RESPOND TO THE E-MAIL
20 WITHIN 30 DAYS AFTER THE HOLDER SENDS THE E-MAIL.

21 (F) (1) IF THE REGISTERED MAIL SENT BY THE HOLDER UNDER
22 SUBSECTION (E) OF THIS SECTION IS RETURNED AS UNDELIVERABLE:

23 (I) THE REGISTERED MAIL SHALL CONSTITUTE A FIRST
24 COMMUNICATION FOR PURPOSES OF SUBSECTION (B)(1)(I) OF THIS SECTION; AND

25 (II) THE HOLDER SHALL SEND A SECOND COMMUNICATION TO
26 THE APPARENT OWNER BY FIRST-CLASS MAIL.

27 (2) (I) IF THE SECOND COMMUNICATION UNDER PARAGRAPH
28 (1)(II) OF THIS SUBSECTION IS RETURNED AS UNDELIVERABLE WITHIN 30 DAYS
29 AFTER SENDING THE FIRST COMMUNICATION UNDER PARAGRAPH (1)(I) OF THIS
30 SUBSECTION, THE DATE THE SECOND COMMUNICATION IS RETURNED AS
31 UNDELIVERABLE SHALL CONSTITUTE THE DATE FOR PURPOSES OF SUBSECTION
32 (B)(1)(II) OF THIS SECTION.

33 (II) IF THE SECOND COMMUNICATION UNDER PARAGRAPH
34 (1)(II) OF THIS SUBSECTION IS SENT MORE THAN 30 DAYS AFTER THE FIRST

1 COMMUNICATION UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION IS RETURNED AS
2 UNDELIVERABLE, THE DATE THE FIRST COMMUNICATION IS RETURNED AS
3 UNDELIVERABLE SHALL CONTROL FOR PURPOSES OF DETERMINING A DATE UNDER
4 SUBSECTION (B)(1) OF THIS SECTION.

5 17-307.2.

6 (A) VIRTUAL CURRENCY IS PRESUMED ABANDONED IF IT REMAINS
7 UNCLAIMED 5 YEARS AFTER THE LAST INDICATION OF APPARENT OWNER INTEREST
8 IN THE PROPERTY.

9 (B) WITHIN 30 DAYS BEFORE THE FILING OF THE REPORT REQUIRED
10 UNDER § 17-310 OF THIS SUBTITLE, THE HOLDER OF ABANDONED VIRTUAL
11 CURRENCY SHALL LIQUIDATE THE VIRTUAL CURRENCY.

12 (C) THE HOLDER SHALL REMIT ANY LIQUIDATION PROCEEDS TO THE
13 ADMINISTRATOR.

14 (D) NOTWITHSTANDING ANY OTHER PROVISION UNDER THIS SUBTITLE, AN
15 OWNER HAS NO RIGHT OF RECOURSE AGAINST A HOLDER OR THE ADMINISTRATOR
16 TO RECOVER ANY GAIN IN VALUE TO THE VIRTUAL CURRENCY THAT OCCURS AFTER
17 THE LIQUIDATION DESCRIBED UNDER SUBSECTION (B) OF THIS SECTION.

18 17-308.

19 (d) Property is reportable to this State under subsection (b) of this section under
20 the priority rules established under [§ 17-301(d)] § 17-301.1(D) of this subtitle.

21 17-308.1.

22 (b) A holder may consider a money order dormant or inactive for purposes of
23 imposing a service charge if the owner has taken none of the actions set forth in [§
24 17-301(b)(3)] § 17-301.1(B)(3) of this subtitle for 1 year from the date of issuance of the
25 money order.

26 17-311.

27 (c) The Administrator is not required to publish in the notice any item valued at
28 less than [\$100] \$50 unless the Administrator considers the publication to be in the public
29 interest.

30 17-317.

1 (a) (1) (i) All funds received under this title, including the proceeds of the
2 sale of abandoned property under § 17-316 of this subtitle, shall be credited by the
3 Administrator to a special fund.

4 (ii) The Administrator shall retain in the special fund at the end of
5 each fiscal year, from the proceeds received[, an]:

6 **1. AN AMOUNT NOT EXCEEDING \$5,000,000 FOR**
7 **INFORMATION TECHNOLOGY COSTS OF THE ADMINISTRATOR, INCLUDING**
8 **CYBERSECURITY, CUSTOMER RELATION SYSTEMS, AND A SYSTEM FOR MANAGING**
9 **UNCLAIMED PROPERTY; AND**

10 **2. AN amount [not to exceed \$50,000] OF FUNDS THE**
11 **ADMINISTRATOR REASONABLY ESTIMATES IS SUFFICIENT, from which sum the**
12 **Administrator shall pay any claim allowed under this title.**

13 17-318.

14 **(A) (1) Any person who claims a legal interest in any property delivered to the**
15 **State under this title must [file]:**

16 **(I) FILE a claim to the property or to the proceeds from its sale on**
17 **the form prescribed by the Administrator; AND**

18 **(II) VERIFY THE CLAIM AS TO ITS COMPLETENESS AND**
19 **ACCURACY.**

20 **(2) AFTER A CLAIM IS FILED UNDER PARAGRAPH (1) OF THIS**
21 **SUBSECTION, THE ADMINISTRATOR SHALL ALLOW OR DENY THE CLAIM AND**
22 **PROVIDE THE CLAIMANT NOTICE OF THE DECISION.**

23 **(3) IF A CLAIM FILED IN ACCORDANCE WITH THIS SUBSECTION IS**
24 **DENIED:**

25 **(I) THE ADMINISTRATOR SHALL INFORM THE CLAIMANT OF**
26 **THE REASON FOR THE DENIAL AND SPECIFY WHAT ADDITIONAL EVIDENCE, IF ANY,**
27 **IS REQUIRED FOR THE CLAIM TO BE ALLOWED;**

28 **(II) THE CLAIMANT MAY FILE AN AMENDED CLAIM WITH THE**
29 **ADMINISTRATOR OR COMMENCE AN ACTION UNDER § 17-320 OF THIS SUBTITLE;**
30 **AND**

31 **(III) THE ADMINISTRATOR SHALL CONSIDER AN AMENDED**
32 **CLAIM FILED UNDER ITEM (II) OF THIS PARAGRAPH AS THE INITIAL CLAIM.**

1 **(4) IF THE ADMINISTRATOR DOES NOT TAKE ACTION ON A CLAIM**
2 **DURING THE 6-MONTH PERIOD IMMEDIATELY FOLLOWING THE FILING OF A CLAIM**
3 **UNDER THIS SUBSECTION, THE CLAIM SHALL BE DEEMED DENIED.**

4 **(B) (1) THE ADMINISTRATOR MAY WAIVE THE FILING REQUIREMENT**
5 **UNDER SUBSECTION (A) OF THIS SECTION IF:**

6 **(I) THE PERSON RECEIVING THE PROPERTY OR PAYMENT IS**
7 **THE APPARENT OWNER INCLUDED IN A REPORT FILED UNDER § 17-310 OF THIS**
8 **SUBTITLE;**

9 **(II) THE ADMINISTRATOR REASONABLY BELIEVES THE PERSON**
10 **IS ENTITLED TO RECEIVE THE PROPERTY OR PAYMENT; AND**

11 **(III) THE PROPERTY OR PAYMENT HAS A VALUE OF \$5,000 OR**
12 **LESS.**

13 **(2) IF THE ADMINISTRATOR WAIVES THE FILING REQUIREMENT IN**
14 **ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, THE ADMINISTRATOR**
15 **SHALL MAKE PAYMENT IN ACCORDANCE WITH § 17-319(B) OF THIS SUBTITLE.**

16 **(C) THE ADMINISTRATOR SHALL PAY OR DELIVER PROPERTY TO A**
17 **CLAIMANT UNDER THIS SECTION IF THE ADMINISTRATOR RECEIVES EVIDENCE**
18 **SUFFICIENT TO THE SATISFACTION OF THE ADMINISTRATOR TO ESTABLISH THAT**
19 **THE CLAIMANT IS THE OWNER OF THE PROPERTY.**

20 17-319.

21 (a) (1) The Administrator shall consider any claim filed under this title and
22 may hold a hearing and receive evidence concerning it.

23 (2) (I) If a hearing is held, [he] **THE ADMINISTRATOR** shall prepare a
24 finding and a decision in writing on each claim filed, stating the substance of any evidence
25 heard by [him] **THE ADMINISTRATOR** and the reasons for [his] **THE ADMINISTRATOR'S**
26 decision.

27 (II) The decision shall be a public record.

28 (b) (1) If the claim is allowed, **OR IF THE ADMINISTRATOR WAIVES THE**
29 **FILING REQUIREMENT IN ACCORDANCE WITH § 17-318(B) OF THIS SUBTITLE,** the
30 Administrator immediately shall make payment.

31 (2) The claim shall be paid without deduction for costs of notices or sale or
32 for service charges.

1 (c) In satisfying a claim the Administrator shall pay the claimant an amount
2 equal to the sales price obtained at the public sale.

3 **17-319.1.**

4 (A) NOT LATER THAN 6 MONTHS AFTER A CLAIM IS ALLOWED UNDER §
5 17-318(A) OF THIS SUBTITLE, THE ADMINISTRATOR SHALL DELIVER THE PROPERTY
6 TO THE OWNER OR PAY TO THE OWNER THE NET PROCEEDS OF A SALE OF THE
7 PROPERTY.

8 (B) THE ADMINISTRATOR MAY APPLY PROPERTY HELD UNDER THIS TITLE
9 BY THE ADMINISTRATOR TO A CLAIM FOR THE PAYMENT OF A DEBT OWED TO THE
10 STATE IDENTIFIED BY OR CERTIFIED TO THE ADMINISTRATOR, INCLUDING DEBTS
11 FOR UNPAID STATE, COUNTY, OR MUNICIPAL TAX.

12 (C) BEFORE DELIVERY TO AN OWNER OF PROPERTY ~~VALUED AT \$100 OR~~
13 ~~MORE~~ OR PAYMENT TO AN OWNER FOR NET PROCEEDS OF A SALE OF PROPERTY
14 ~~WHERE THE NET PROCEEDS ARE \$100 OR MORE~~, THE ADMINISTRATOR SHALL:

15 (1) APPLY THE PROPERTY OR NET PROCEEDS TO ANY DEBT UNDER
16 SUBSECTION (B) OF THIS SECTION THAT THE ADMINISTRATOR DETERMINES IS
17 OWED BY THE OWNER;

18 (2) PAY THE AMOUNT IDENTIFIED BY OR CERTIFIED TO THE
19 ADMINISTRATOR UNDER SUBSECTION (B) OF THIS SECTION; AND

20 (3) NOTIFY THE OWNER OF ANY PAYMENT TOWARD A DEBT UNDER
21 SUBSECTION (B) OF THIS SECTION THAT THE ADMINISTRATOR DETERMINES IS
22 OWED BY THE OWNER.

23 (D) (1) THE ADMINISTRATOR MAY MAKE PERIODIC INQUIRIES OF STATE
24 AND LOCAL AGENCIES IN THE ABSENCE OF A CLAIM FILED UNDER § 17-318(A) OF
25 THIS SUBTITLE TO DETERMINE WHETHER AN APPARENT OWNER INCLUDED IN THE
26 UNCLAIMED PROPERTY RECORDS OF THE STATE HAS ENFORCEABLE DEBTS UNDER
27 SUBSECTION (B) OF THIS SECTION ~~IF THE AMOUNT OF PROPERTY IS VALUED AT \$100~~
28 ~~OR MORE~~.

29 (2) IF THE ADMINISTRATOR IDENTIFIES AN ENFORCEABLE DEBT
30 DURING A PERIODIC INQUIRY, THE ADMINISTRATOR SHALL:

31 (I) APPLY THE PROPERTY OR NET PROCEEDS OF A SALE OF THE
32 PROPERTY HELD BY THE ADMINISTRATOR TO THE DEBT OF AN APPARENT OWNER
33 WHO APPEARS IN THE RECORDS OF THE ADMINISTRATOR;

1 (II) PAY THE AMOUNT IDENTIFIED BY OR CERTIFIED TO THE
2 ADMINISTRATOR UNDER SUBSECTION (B) OF THIS SECTION; AND

3 (III) NOTIFY THE OWNER OF ANY PAYMENT TOWARD A DEBT
4 UNDER SUBSECTION (B) OF THIS SECTION THAT THE ADMINISTRATOR DETERMINES
5 IS OWED BY THE OWNER.

6 17-320.

7 (A) Any person aggrieved by a decision of the Administrator or as to whose claim
8 the Administrator has failed to act within [90 days] 6 MONTHS after the filing of the claim,
9 may commence an action in the circuit court for the county to establish [his] THE claim.

10 (B) The proceeding shall be brought within 90 days after the decision of the
11 Administrator or within [180 days] 1 YEAR from the filing of the claim if the Administrator
12 fails to act.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.