

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1428

By: Representative Eaves

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING UNCLAIMED
PROPERTY; TO AUTHORIZE USE OF THE STATE TREASURY
MONEY MANAGEMENT TRUST BY THE AUDITOR OF STATE; AND
FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING UNCLAIMED
PROPERTY; AND TO AUTHORIZE USE OF THE
STATE TREASURY MONEY MANAGEMENT TRUST BY
THE AUDITOR OF STATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 18-28-213(a), concerning the deposit of unclaimed property funds, is amended to read as follows:

(a)(1) ~~All~~ The funds received under this subchapter, including the proceeds from the sale of abandoned property, shall be deposited by the administrator into a special trust fund to be known as the "Unclaimed Property Proceeds Trust Fund", from which he or she shall make prompt payment of claims ~~duly~~ allowed by him or her as ~~hereinafter~~ provided under this subchapter.

(2) ~~Such~~ The funds shall be deposited into accounts in one (1) or more financial institutions authorized to do business in this state and may then be transferred into the State Treasury Money Management Trust to be administered in accordance with the laws of this state ~~pertaining to the appropriation, administration, and expenditure of cash funds~~.

(3)(A) Before making the deposit, ~~he or she~~ the administrator



shall record:

(i) ~~the~~ The name and last known address of each person appearing from the holder's reports to be entitled to the abandoned property, ~~and;~~

(ii) ~~the~~ The name and last known address of each insured or annuitant, ~~;~~ and

(iii) ~~, with respect to each policy or contract listed in the report of a life insurance corporation, its~~ The policy or contract number, the name of the life insurance corporation, and the amount due under each policy or contract listed in the report of a life insurance corporation.

(B) The record shall be available for public inspection at all reasonable business hours.

SECTION 2. Arkansas Code § 18-28-403(a)(1)(C), concerning the disposition of funds from abandoned mineral proceeds is amended to read as follows:

(C) ~~Such~~ The funds shall be deposited into accounts in one (1) or more financial institutions authorized to do business in this state, and may then be transferred into the State Treasury Money Management Trust to be administered in accordance with the laws of this state ~~pertaining to the appropriation, administration, and expenditure of cash funds.~~

SECTION 3. Arkansas Code § 19-3-603 is amended to read as follows:
19-3-603. Authorized deposits.

~~Any~~ An entity listed below may deposit money to the State Treasury Money Management Trust for the purpose of investment:

(1) State agency's cash funds as defined in § 19-4-801;

(2) Local governments:

(A) Any city, county, school district, or community college district of this state; and

(B) Any department, instrumentality, or agency of these entities; ~~and~~

(3) The Treasurer of State may invest in the State Treasury Money Management Trust to the extent State Treasury funds are not being utilized for certificates of deposit under the State Treasury Certificate of

Deposit Investment Program or for trust certificates of deposit pursuant to the State Treasury Management Law, § 19-3-501 et seq.; and

(4) The Auditor of State may invest funds subject to the unclaimed property provisions of the Unclaimed Property Act, § 18-28-201 et seq., in the State Treasury Money Management Trust.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that under the current provisions of the Unclaimed Property Act, § 18-28-201 et seq., the Auditor of State may not deposit unclaimed property funds with the State Treasurer for investment purposes; and that the unclaimed property funds are currently held in the Unclaimed Property Proceeds Trust Fund accruing minute interest; that the authority to invest funds in the State Treasury Money Management Trust will generate a greater financial return to be used for the benefit of the state. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

APPROVED: 3/6/19