

2A: 37-30

LEGISLATIVE HISTORY CHECKLIST

WJSA 2A:37-30 (Escheat to State--abandoned property, including wages--reduces time)

LAWS OF 1979 CHAPTER 63

Bill No. A1054

Sponsor(s) Fortunato, Cali and Flynn

Date Introduced March 6, 1978

Committee: Assembly Judiciary, Law, Public Safety & Defense

Senate Law, Public Safety & Defense

Amended during passage ~~xxx~~ No

Date of Passage: Assembly May 11, 1978

Senate Jan. 18, 1979

Date of approval April 4, 1979

Following statements are attached if available:

Sponsor statement Yes ~~xx~~ (Below)

Committee Statement: Assembly ~~xxx~~ No

Senate ~~xxx~~ No

Fiscal Note Yes ~~xx~~

Veto message ~~xxx~~ No

Message on signing Yes ~~xx~~

Following were printed:

Reports ~~xxx~~ No

Hearings ~~xxx~~ No

Sponsor's statement:

This bill reduces from 20 to 10 years the period before which abandoned property escheats to the State. The bill also provides that any moneys payable as wages will be included in the scope of property which may be subject to escheat.

EJ
2/1/78

ASSEMBLY, No. 1054

STATE OF NEW JERSEY

INTRODUCED MARCH 6, 1978

By Assemblymen FORTUNATO, CALI and FLYNN

Referred to Committee on Judiciary, Law, Public Safety and Defense

AN ACT concerning certain abandoned personal property, and
amending N. J. S. 2A:37-30.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. N. J. S. 2A:37-30 is amended to read as follows:

2 2A:37-30. a. Except as may be otherwise provided by subsections
3 (b), (c) and (d) of this section, whenever a corporation, partner-
4 ship, limited partnership or other business association incorporated
5 or organized under the laws of this State or whenever any natural
6 person doing business and domiciled in this State shall have custody
7 or possession of, or otherwise be the holder of, or shall have
8 deposited with or given to an agent or trustee residing within or
9 without this State custody or possession of, stock dividends or any
10 moneys and other accretions which are or shall be due or payable
11 to any person as a dividend upon capital stock, preferred or
12 common, or as interest payable upon bonds, indentures, notes or
13 other formal instruments evidencing indebtedness, *or any moneys*
14 *payable as wages to any person*, or any moneys payable on other
15 general cash obligations, and except as may be otherwise provided
16 by subsections (b), (c) and (d) of this section, whenever any
17 corporation, partnership, limited partnership or other business
18 association incorporated or organized under the laws of any other
19 state or of the United States or whenever any natural person
20 doing business within or without this State, and subject to the laws
21 of this State shall have custody or possession or otherwise be a
22 holder of any moneys or other personal property which are due
23 or payable by such holder to any person in any of the categories
24 above enumerated whose last known address according to the
25 records of the holder is within this State and the owner of, beneficial

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

26 owner of, or person entitled to the same has been and remains
27 unknown for a period of 5 successive years, or the whereabouts
28 of such person has been and remains unknown for a period of 5
29 successive years, or such personal property has been and remains
30 unclaimed for a period of 5 successive years, such moneys or other
31 personal property shall be presumed abandoned and subject to
32 delivery to the State Treasurer for safekeeping.

33 (b) (1) Any funds deposited with or paid to any State or Federal
34 savings and loan association, credit union or investment company
35 engaged in business in the State for savings or toward the purchase
36 of shares or other interest in the organization and any interest
37 or dividends thereon shall be presumed abandoned unless the owner
38 of same has within **[20]** 10 years:

39 (i) Increased or decreased the amount of the funds on
40 deposit or presented an appropriate record for the crediting
41 of interest or dividends; or

42 (ii) Corresponded in writing with the organization con-
43 cerning the funds or deposits;

44 (iii) Otherwise indicated an interest in the funds or deposits
45 as evidenced by a memorandum on file with the organization.

46 (2) Any funds held by any State or Federal savings and loan
47 association, credit union or investment company engaged in busi-
48 ness in this State payable on any check**[, money order]** or other
49 general cash obligation of the organization which have remained
50 unpaid or unclaimed for 5 successive years shall be presumed
51 abandoned.

52 (c) All personal property distributable in the course of a
53 voluntary dissolution or other liquidation of:

54 (1) Any corporation, partnership, limited partnership, unin-
55 corporated business association, financial association or other busi-
56 ness or financial entity, incorporated or organized within or under
57 the laws of this State; or

58 (2) Any corporation, partnership, limited partnership, unin-
59 corporated business association, financial association or other
60 business or financial entity incorporated or organized within or
61 under the laws of any other state, or of the United States, which
62 personal property is payable to a person whose last known address
63 is within this State, which is unclaimed by the person entitled
64 thereto within 2 years after the date of final distribution is pre-
65 sumed abandoned and subject to delivery to the State Treasurer
66 for safekeeping.

67 (d) Any sum payable on a money order or travelers check issued
68 or sold in this State by a corporation, partnership, limited part-
69 nership or other business association subject to the laws of this
70 State, which has been outstanding for more than 7 years from the
71 date of its issuance in the case of a money order or for more than
72 15 years from the date of its issuance in the case of a travelers
73 check, is presumed abandoned, unless the owner has within 7 years
74 in the case of a money order or 15 years in the case of a travelers
75 check corresponded in writing with such corporation, partnership,
76 limited partnership or other business concerning it, or otherwise
77 indicated an interest as evidenced by a memorandum on file with
78 such corporation, partnership, limited partnership or other busi-
79 ness association.

1 2. This act shall take effect immediately.

STATEMENT

This bill reduces from 20 to 10 years the period before which abandoned property escheats to the State. The bill also provides that any moneys payable as wages will be included in the scope of property which may be subject to escheat.

FISCAL NOTE TO
ASSEMBLY, No. 1054

STATE OF NEW JERSEY

DATED: APRIL 12, 1978

Assembly Bill No. 1054 reduces from 20 to 10 years the period before which abandoned property escheats to the State. It also provides that any moneys payable as wages will be included in the scope of property which may be subject to escheat.

The Treasury Department states that by so reducing the abandonment period, a "one-shot" increase in State revenues of \$360,000.00 will occur.

The fiscal note is based on an estimate of costs rather than actual cost information.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.

FROM THE OFFICE OF THE GOVERNOR

APRIL 4, 1979

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

PAT SWEENEY

Governor Brendan Byrne today signed into law the following bills:

S-915, sponsored by Senator William Hamilton (D-Middlesex) which increases the amount a municipality may pay for an alcoholic beverage retail consumption license which it retires from \$10,000 to \$15,000.

The bill also raises the ceiling on the number of licenses allowed in a municipality from one per 2,100 residents to one per 3,000 residents.

A-714, sponsored by Assemblyman Daniel Newman (D-Ocean) which exempts a master plumber from having to pay the annual \$50 master plumber's license fee while serving exclusively as a plumbing inspector.

If the plumber elects not to pay the fee during his time of service as an inspector, his master plumbing license would be invalid until his service as an inspector is over.

A-1054, sponsored by Assemblyman Buddy Fortunato (D-Essex) which reduces the number of years of inactivity which must elapse before funds deposited in a state or federal savings and loan association, credit union or investment company are presumed to be abandoned and subject to custodial safekeeping by the state.

Under current law, the time period is 20 years; this bill reduces that to 10 years.

The bill also establishes a uniform period of seven years before a money order escheats to the state. Currently, there is a disparate treatment of money orders depending on the nature of the issuing association.

The bill also includes wages as an enumerated class of property.

A-1559, sponsored by Assemblyman Robert Burns (D-Bergen) which prohibits commercial vendors to use any portion of the right of way, including rest areas, of any state or federal interstate highway.

The bill also prohibits any collection of tolls or other charges on the federal or state highway system.