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REPORTS:

974.901 New Jersey. Law Revision Commission.
L446 Annual report February 1, 1998. Trenton, 1998.
1997 [see pp. 5, Appendix D]

Yes

HEARINGS:

No

NEWSPAPER ARTICLES:

No

P.L. 1999, CHAPTER 331, *approved January 10, 2000*
Senate, No. 1062

1 **AN ACT** concerning lost or abandoned property and supplementing
2 Title 46 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. As used in this act:
8 a. "Abandoned property" is property of which the owner has
9 intentionally given up possession under circumstances evincing intent
10 to give up ownership.

11 b. "Lost property" is property the possession of which has been
12 parted with casually, involuntarily or unintentionally; or which has
13 been mislaid, left or forgotten.

14 c. A "finder" is a person who acquires legal possession by
15 exercising physical control over abandoned or lost property.

16
17 2. A finder of abandoned property may assume ownership of it.

18
19 3. A finder of lost property shall make reasonable efforts to return
20 the property to its owner. Reasonable efforts to return the property
21 depend on the nature of the property, the circumstances in which it is
22 found and the obtainable information concerning its owner.
23 Reasonable efforts may include:

24 a. Attempts to notify the owner of the lost property, or the owner
25 of the premises where found,

26 b. Delivery to the owner or person in charge of the premises where
27 the property was found, or

28 c. Delivery to the local police, or to a lost-and-found facility for
29 the premises where the property was found.

30
31 4. a. A person may claim lost property only after making
32 reasonable efforts to return the property to its owner.

33 b. If the owner of the lost property does not reclaim it within 120
34 days of the commencement of reasonable efforts to return it:

35 (1) The owner of the premises where the property was found may
36 claim title to buried or hidden lost property or to lost property which
37 a trespasser found;

38 (2) The finder of the property may claim title to lost property in
39 other cases.

40 c. If the owner of the premises or finder does not claim the lost

1 property, and an action is not pending to determine rights to the
2 property:

3 (1) Marketable property shall be sold by the clerk of the
4 municipality in which it is located and the proceeds, less costs of sale
5 shall be transmitted to the administrator of the "Uniform Unclaimed
6 Property Act 1981" (R.S.46:30B-1 et seq.), for deposit in the
7 Unclaimed Personal Property Trust Fund established pursuant to the
8 provisions of R.S.46:30B-74;

9 (2) Non-marketable property may be treated as abandoned.

10

11 5. a. This act does not apply to property:

12 (1) Subject to the provisions of the "Uniform Unclaimed Property
13 Act 1981" (R.S.46:30B-1 et seq.)

14 (2) The acquisition or ownership of which requires a license, or
15 property the ownership of which can be transferred only by document
16 title.

17 b. This act does not supersede statutes regulating abandoned and
18 unclaimed motor vehicles pursuant to the provisions of P.L. 1964, c.81
19 (C.39:10A-1 et seq.) or abandoned vessels pursuant to the provisions
20 of P.L. 1975, c.369 (C.12:7C-7 et seq.).

21

22 6. This act shall take effect immediately.

23

24

25

STATEMENT

26

27 The purpose of this bill is to establish procedures for dealing with
28 lost or abandoned property which promote return of lost property to
29 the owner and which protect the expectations of the finder. The statute
30 defines lost property and abandoned property, and provides
31 procedures and remedies which prescribe the powers and duties of
32 finders and owners of the property and of relevant government
33 employees. The bill also provides for the disposition of lost property
34 that remains unclaimed by the owner and by the finder. The provisions
35 of the bill are based on recommendations contained in a report issued
36 by the Law Revision Commission in 1997.

37

38

39

40

41 Establishes procedures for dealing with lost or abandoned property.

SENATE, No. 1062

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED MAY 18, 1998

Sponsored by:

Senator WILLIAM L. GORMLEY

District 2 (Atlantic)

Senator EDWARD T. O'CONNOR

District 31 (Hudson)

Co-Sponsored by:

Assemblymen Carroll and Merkt

SYNOPSIS

Establishes procedures for dealing with lost or abandoned property.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/10/1999)

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28 of the bill are based on recommendations contained in a report issued
29 by the Law Revision Commission in 1997.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 1062

STATE OF NEW JERSEY

DATED: MAY 20, 1999

The Assembly Judiciary Committee reports favorably Senate Bill No. 1062.

The purpose of this bill is to establish procedures for dealing with lost or abandoned property which promote return of lost property to the owner and which protect the expectations of the finder. The proposed statute defines lost property and abandoned property, and provides procedures and remedies which prescribe the powers and duties of finders and owners of the property and of relevant government employees. The bill also provides for the disposition of lost property that remains unclaimed by the owner and by the finder.

The provisions of the bill are based on recommendations contained in a report issued by the New Jersey Law Revision Commission in 1997.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 1062

STATE OF NEW JERSEY

DATED: JUNE 15, 1998

The Senate Judiciary Committee reports favorably Senate Bill No. 1062.

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ASSEMBLY, No. 3180

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED MAY 24, 1999

Sponsored by:

Assemblyman MICHAEL PATRICK CARROLL

District 25 (Morris)

Assemblyman RICHARD A. MERKT

District 25 (Morris)

SYNOPSIS

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Office of the Governor
NEWS RELEASE

PO BOX 004
TRENTON, NJ 08625

CONTACT: Gene Herman
609-777-2600

RELEASE: January 10, 2000

Gov. Christie Whitman today signed the following pieces of legislation:

S-436, sponsored by Senators C. Louis Bassano (R-Essex/Union) and Diane B. Allen (R-Burlington/Camden), requires the Department of Health and Senior Services (DHSS) to prepare an informational pamphlet on the nature and causes of osteoporosis and methods used to treat and prevent osteoporosis. The bill appropriates \$25,000 from the General Fund to DHSS to fund the printing and distribution of the pamphlets.

S-1735, sponsored by Senators William L. Gormley (R-Atlantic) and John A. Girgenti (D-Passaic) and Assembly Members Kenneth C. LeFevre (R-Atlantic) and Francis J. Blee (R-Atlantic), amends the reckless endangerment statute to clarify that adulteration of a drink or other substance constitutes the fourth degree offense of reckless endangerment. Specifically, the bill clarifies that this offense is committed when a person purposely or knowingly gives another person a drink or other substance that is intoxicating, tranquilizing or disorienting, when that other person does not know the identity and effect of the drink or substance.

A-2775, sponsored by Assembly Members John V. Kelly (R-Bergen/Essex/Passaic) and Paul DiGaetano (R-Bergen/Essex/Passaic) and Senator Garry J. Furnari (D-Bergen/Essex/Passaic), provides a grant of \$75,000 to create a study skills program in the East Rutherford Boro School District to address the needs of at-risk pupils. Pupils who are at-risk will be determined by using multiple indicators, including test scores, writing portfolios, teacher recommendations, and parental input. Funding will be utilized for staffing, teaching materials and other supplies. The bill makes a supplemental appropriation to the Fiscal Year 2000 budget.

A-1019, sponsored by Assembly Members Charles Zisa (D-Bergen) and Alan M. Augustine (R-Middlesex/Morris/Somerset/Union), and Senator Joseph A. Palaia (R-Monmouth), provides that commencing on September 1, 2002, any buildings and grounds supervisor employed by a school district must be a certified educational facilities manager. The bill directs the State Board of Education to issue rules and regulations to administer the program. The bill provides that a certified educational facilities manager must meet specific requirements, including having two years of experience in the field of buildings and grounds supervision and graduate as a certified educational facilities manager from the New Jersey Educational Facility Management Program at Rutgers University, or an equivalent program at an accredited institution of higher learning.

A-2993, sponsored by Assembly Members Gerald J. Luongo (R-Camden/Gloucester) and Senator Robert E. Littell (R-Sussex/Hunterdon/Morris), excludes bonds supported by open space, recreation, farmland or historic preservation taxes from calculation of gross debt of a county or municipality. Gross debt is a measure used under the Local Bond Law to derive the net debt of a county or municipality for purposes of establishing a county or municipal debt limit.

A-1445, sponsored by Assembly Members Jack Collins (R- Salem/Cumberland/Gloucester) and Marion Crecco (R-Essex/Passaic) and Senators Norman Robertson (R-Essex/Passaic) and Anthony R. Bucco (R- Morris), permits a police officer enrolled in the Police and Firemen's Retirement System to purchase up to three years of service credit based on inactive time between a point of no-fault layoff and the point of rehiring the employee.

A-2133, sponsored by Assembly Members John V. Kelly (R- Bergen/Essex/Passaic) and Joseph V. Doria, Jr. (D-Hudson), requires health insurers, including hospital service corporations, medical service corporations, health service corporations, commercial insurers and health maintenance organizations to provide health benefits coverage for annual mammograms for women aged 40 and over. Previous law provided for annual mammogram coverage for women 50 and over; women who are at least 40, but less than 50, were provided coverage for biannual examinations.

S-1503, sponsored by Senator Richard J. Codey (D-Essex) and Assembly Members John V. Kelly (R-Bergen/Essex/Passaic) and Paul DiGaetano (R-Bergen/Essex/Passaic), revises pension benefits and employee contribution rates for members of certain board of education pension funds.

A-2943, sponsored by Assembly Members Jack Collins (R-Cumberland/Gloucester/Salem) and Christopher Bateman (R-Morris/Somerset) and Senators Robert W. Singer (R-Burlington/Monmouth/Ocean) and Diane B. Allen (R-Burlington/Camden), requires the return of unearned premiums on a pro rata basis for canceled automobile insurance policies. Previous law only required an insurer to return unpaid premiums on a short rate basis, which is an amount less than the pro rata basis because a percentage of administrative costs are charged to the insured.

A-1706, sponsored by Assembly Member John V. Kelly (R-Bergen/Essex/Passaic) and Senators Robert W. Singer (R-Burlington/Monmouth/Ocean) and Louis F. Kosco (R-Bergen), establishes a procedure to be followed by landlords of commercial or residential property when disposing of tangible property left behind in premises that had been vacated by a tenant.

S-1062, sponsored by Senators William L. Gormley (R-Atlantic) and Edward T. O'Connor, Jr. (D-Hudson) and Assembly Members Richard A. Merkt (R-Morris) and Michael Patrick Carroll (R-Morris), establishes a procedure for dealing with lost or abandoned property.

A-3298, sponsored by Assembly Members John S. Wisniewski (D-Middlesex) and Gerald J. Luongo (R-Camden/Gloucester) and Senators Joseph F. Vitale (D-Middlesex) and Nicholas J. Sacco (D-Bergen/Hudson), allows for re-certification of the special district tax for school districts if the school district's surplus account is higher than estimated at the school election in certain circumstances.

S-1697, sponsored by Senators William L. Gormley (R-Atlantic) and Wayne R. Bryant (D-Camden/Gloucester) and Assembly Members James W. Holzapfel (R- Monmouth/Ocean) and Kenneth C. LeFevre (R-Atlantic), authorizes a court to issue a restraining order prohibiting a person charged with, convicted of or adjudicated delinquent for any drug distribution offense or any offense involving the use or possession of an assault weapon from returning to the place where the offense occurred.

A-960, sponsored by Assembly Member Alan M. Augustine (R- Middlesex/Morris/Somerset /Union), requires pet shops to refund the purchase price, reimburse any veterinary fees, or provide replacement for sick cats or dogs under certain circumstances.

S-1273, sponsored by Senators Robert W. Singer (R- Burlington/Monmouth/Ocean) and Robert W. Littell (R-Sussex/Hunterdon/Morris) and Assembly Members Charlotte Vandervalk (R- Bergen) and Nicholas R. Felice (R-Bergen/Passaic), permits HMO enrollees residing in certain retirement communities with nursing homes to continue to receive care at that nursing facility under certain circumstances.

A-1653, sponsored by Assembly Members John V. Kelly (R- Bergen/Essex/Passaic) and Neil M. Cohen (D-Union) and Senator Gerald Cardinale (R-Bergen), requires health insurers, including hospital service corporations, medical service corporation, health service corporations, commercial insurers and health maintenance organizations to provide insurance coverage benefits for health wellness examinations and counseling. The bill appropriates \$95,000 to the Department of Health and Senior Services for allocation to the Health Wellness Promotion Advisory Board to evaluate implementation of the provisions of the bill and to ensure awareness and utilization of the health promotion program by covered persons and health care providers.

A-2461, sponsored by Assembly Member Gary W. Stuhltrager (R-Salem/Cumberland/ Gloucester), extends the cap on tax liability on transfers of hazardous substances to certain successors in interest.