

SB1614



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1614

Introduced 2/15/2019, by Sen. Elgie R. Sims, Jr.

SYNOPSIS AS INTRODUCED:

765 ILCS 1026/15-904

Amends the Revised Uniform Unclaimed Property Act. Provides that an heir or agent who files an unclaimed property claim in which the decedent's property does not exceed \$100 may submit an affidavit attesting to the heir's or agent's capacity to claim in lieu of submitting a certified copy to verify a claim. Provides that the affidavit shall be accompanied by a copy of other documentary proof that the State Treasurer requests. Provides that the State Treasurer may change the maximum value by administrative rule. Effective immediately.

LRB101 08975 LNS 54068 b

A BILL FOR

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Revised Uniform Unclaimed Property Act is
5 amended by changing Section 15-904 as follows:

6 (765 ILCS 1026/15-904)

7 Sec. 15-904. When administrator must honor claim for
8 property.

9 (a) The administrator shall pay or deliver property to a
10 claimant under subsection (a) of Section 15-903 if the
11 administrator receives evidence sufficient to establish to the
12 satisfaction of the administrator that the claimant is the
13 owner of the property.

14 (b) A claim will be considered complete when a claimant has
15 provided all the information and documentation requested by the
16 administrator as necessary to establish legal ownership and
17 such information or documentation is entered into the
18 administrator's unclaimed property system. Unless extended for
19 reasonable cause, not later than 90 days after a claim is
20 complete the administrator shall allow or deny the claim and
21 give the claimant notice in a record of the decision. If a
22 claimant fails to provide all the information and documentation
23 requested by the administrator as necessary to establish legal

1 ownership of the property and the claim is inactive for at
2 least 90 days, then the administrator may close the claim
3 without issuing a final decision. However, if the claimant
4 makes a request in writing for a final decision prior to the
5 administrator's closing of the claim, the administrator shall
6 issue a final decision.

7 (b-5) An heir or agent who files an unclaimed property
8 claim in which the decedent's property does not exceed \$100 may
9 submit an affidavit attesting to the heir's or agent's capacity
10 to claim in lieu of submitting a certified copy to verify a
11 claim. The affidavit shall be accompanied by a copy of other
12 documentary proof that the administrator requests. The
13 administrator may change the maximum value in this subsection
14 by administrative rule.

15 (c) If the claim is denied or there is insufficient
16 evidence to allow the claim under subsection (b):

17 (1) the administrator shall inform the claimant of the
18 reason for the denial and may specify what additional
19 evidence, if any, is required for the claim to be allowed;

20 (2) the claimant may file an amended claim with the
21 administrator or commence an action under Section 15-906;
22 and

23 (3) the administrator shall consider an amended claim
24 filed under paragraph (2) as an initial claim.

25 (Source: P.A. 100-22, eff. 1-1-18.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.