

SENATE BILL 579

P3

9lr2257
CF 9lr2261

By: **Senator Jones (Chair, Joint Committee on the Management of Public Funds) and Senators Currie, Forehand, and Haines**

Introduced and read first time: February 6, 2009

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **State Checks – Electronic Publication of Payee Names**

3 FOR the purpose of authorizing the Treasurer of the State to electronically publish the
4 names of certain payees under certain circumstances for a certain period of
5 time; and generally relating to electronic publication of payee names and the
6 Undeliverable Checks Fund.

7 BY repealing and reenacting, with amendments,
8 Article – State Finance and Procurement
9 Section 7–229
10 Annotated Code of Maryland
11 (2006 Replacement Volume and 2008 Supplement)

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

14 **Article – State Finance and Procurement**

15 7–229.

16 (a) In this section, “Fund” means the Undeliverable Checks Fund.

17 (b) There is an Undeliverable Checks Fund.

18 (c) If a check that the Treasurer, the Chief Deputy Treasurer, or a deputy
19 treasurer issues is returned to the Comptroller as undeliverable, the Comptroller:

20 (1) shall keep the check for a period of not more than 30 days;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) during that period, shall try diligently to find the correct address of
2 the payee and to deliver the check; and

3 (3) if unable to deliver the check during that period, shall send the
4 check to the Treasurer.

5 (d) Whenever the Comptroller returns a check as undeliverable, the
6 Treasurer shall:

7 (1) cancel the check; and

8 (2) request the Comptroller to credit the amount of the canceled check
9 to the Fund.

10 (e) On a warrant charged against the Fund, the Treasurer, the Chief Deputy
11 Treasurer, or a deputy treasurer may issue a check to replace a check canceled under
12 this section.

13 (f) As required by State or federal law, or as considered proper by the
14 Treasurer, the Treasurer, the Chief Deputy Treasurer, or a deputy treasurer shall:

15 (1) on a warrant charged against the Fund, disburse to the original
16 source any money in the Fund required to be returned to the source; or

17 (2) request the Comptroller to transfer any money in the Fund to
18 another fund or account.

19 (g) At the end of each fiscal year, the Treasurer:

20 (1) shall identify the checks that have been credited to the Fund and
21 remain unclaimed for 2 years;

22 (2) determine a reasonable balance to retain in the Fund that will be
23 needed to honor each replacement check that may be issued on a warrant charged
24 against the Fund; and

25 (3) request the Comptroller to transfer the balance in the Fund, after
26 subtraction of the amount determined as provided in item (2) of this subsection, to the
27 General Fund of the State.

28 (h) Undeliverable checks credited to the Fund are not subject to Title 17 of
29 the Commercial Law Article.

30 **(i) NOTWITHSTANDING § 10-617 OF THE STATE GOVERNMENT**
31 **ARTICLE, AT THE END OF EACH FISCAL YEAR, THE TREASURER MAY**
32 **ELECTRONICALLY PUBLISH ON THE TREASURER'S WEBSITE THE NAMES OF**
33 **PAYEES OF CHECKS THAT HAVE REMAINED UNCLAIMED FOR 2 YEARS OR MORE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2009.