
By: **Senator Gladden**

Introduced and read first time: January 23, 2006

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law - Abandoned Property - Money Orders**

3 FOR the purpose of altering the time period after which there is a presumption that
4 a money order is abandoned under certain circumstances; making stylistic and
5 conforming changes; and generally relating to abandoned property in the State.

6 BY repealing and reenacting, with amendments,
7 Article - Commercial Law
8 Section 17-301(a)
9 Annotated Code of Maryland
10 (2005 Replacement Volume)

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

13 **Article - Commercial Law**

14 17-301.

15 (a) The following property held by a banking or financial organization[,] or
16 business association is presumed abandoned:

17 (1) Any demand, savings, or matured time deposit account made with a
18 banking organization, together with any interest or dividend on it, excluding any
19 charges that lawfully may be withheld, unless, within 3 years, the owner has:

- 20 (i) Increased or decreased the amount of the deposit;
- 21 (ii) Presented evidence of the deposit for the crediting of interest;
- 22 (iii) Corresponded in writing with the banking organization
23 concerning the deposit;
- 24 (iv) Engaged in any credit, trust, or other deposit transaction with
25 the banking organization; or

1 (v) Otherwise indicated an interest in the deposit as evidenced by a
2 memorandum on file with the banking organization;

3 (2) Any funds paid toward the purchase of shares or other interest in a
4 financial organization, or any deposit made with these funds, and any interest or
5 dividends on these, excluding any charges that lawfully may be withheld, unless,
6 within 3 years, the owner has:

7 (i) Increased or decreased the amount of the funds or deposit, or
8 presented an appropriate record for the crediting of interest or dividends;

9 (ii) Corresponded in writing with the financial organization
10 concerning the funds or deposit;

11 (iii) Engaged in any credit, share, or other deposit transaction with
12 the financial organization; or

13 (iv) Otherwise indicated an interest in the funds or deposit as
14 evidenced by a memorandum on file with the financial organization;

15 (3) [Any] EXCEPT AS PROVIDED IN ITEMS (4) AND (5) OF THIS
16 SUBSECTION, ANY sum payable on a check certified in this State or on a written
17 instrument issued in this State on which a banking or financial organization or
18 business association is directly liable, including any certificate of deposit[,] AND
19 draft[, traveler's check, and money order,] that has been outstanding for more than 3
20 years from the date it was payable [(or 15 years in the case of a traveler's check)] or,
21 if payable on demand, from the date of its issuance, unless, within 3 years [or 15
22 years in the case of a traveler's check], the owner has:

23 (i) Corresponded in writing with the banking or financial
24 organization or business association concerning it; or

25 (ii) Otherwise indicated an interest as evidenced by a
26 memorandum on file with the banking or financial organization or business
27 association; [and]

28 (4) ANY TRAVELER'S CHECK THAT HAS BEEN OUTSTANDING FOR MORE
29 THAN 15 YEARS FROM THE DATE OF ITS ISSUANCE, UNLESS, WITHIN 15 YEARS, THE
30 OWNER HAS:

31 (I) CORRESPONDED IN WRITING WITH THE BANKING OR
32 FINANCIAL ORGANIZATION OR BUSINESS ASSOCIATION CONCERNING IT; OR

33 (II) OTHERWISE INDICATED AN INTEREST AS EVIDENCED BY A
34 MEMORANDUM ON FILE WITH THE BANKING OR FINANCIAL ORGANIZATION OR
35 BUSINESS ASSOCIATION;

36 (5) ANY MONEY ORDER THAT HAS BEEN OUTSTANDING FOR MORE THAN
37 7 YEARS FROM THE DATE OF ITS ISSUANCE, UNLESS, WITHIN 7 YEARS, THE OWNER
38 HAS:

1 (I) CORRESPONDED IN WRITING WITH THE BANKING OR
2 FINANCIAL ORGANIZATION OR BUSINESS ASSOCIATION CONCERNING IT; OR

3 (II) OTHERWISE INDICATED AN INTEREST AS EVIDENCED BY A
4 MEMORANDUM ON FILE WITH THE BANKING OR FINANCIAL ORGANIZATION OR
5 BUSINESS ASSOCIATION; AND

6 [(4)] (6) Any property removed from a safekeeping repository on which
7 the lease or rental period has expired or any surplus amounts arising from the sale of
8 the property pursuant to law, that have been unclaimed by the owner for more than 3
9 years from the date on which the lease or rental period expired.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2006.