



HOUSE BILL 156: Unclaimed Prop. Div. Amend./DMV Tech Chngs.

2021-2022 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	April 15, 2021
Introduced by:	Rep. Hurley	Prepared by:	Kellette Wade
Analysis of:	Third Edition		Staff Attorney

OVERVIEW: *House Bill 156 would increase the amount of time the State Treasurer has to hold a public sale for abandoned property from three to five years after receiving the property, provide that a person may file a claim for property paid or delivered to the Treasurer if the amount exceeds \$5,000, and extend the Department of Motor Vehicle's (DMV) authority to adopt emergency rules pursuant to S.L. 2020-97, Coronavirus Relief Act 3.0.*

CURRENT LAW: G.S. 116B-65(a) currently provides that the State Treasurer has three years to hold a public sale for abandoned property, and G.S. 116B-67(a) currently provides that a person may file a claim for property paid or delivered to the Treasurer if the amount exceeds \$250.

Section 3.20 of S.L. 2020-97, Coronavirus Relief Act 3.0, authorizes state agencies, including the DMV, to adopt emergency rules if it determines that, due to the impacts of the coronavirus, it is in the public interest. This authority currently expires on March 31, 2021.

BILL ANALYSIS:

Section 1 would amend current law to increase the amount of time the State Treasurer has to hold a public sale for abandoned property from three to five years after receiving the property.

Section 2 would provide that a person may file a claim for property paid or delivered to the Treasurer if the amount exceeds \$5,000.

Section 3 would extend DMV's authority to adopt emergency rules pursuant to Section 3.20 of S.L. 2020-97 to 30 days after Executive Order No. 116 is rescinded or September 30, 2021, whichever is earlier. This section becomes effective March 31, 2021.

EFFECTIVE DATE: Except as otherwise provided, this bill becomes effective when it becomes law.

Jeffrey Hudson
Director



Legislative Analysis
Division
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