

**SECOND ENGROSSMENT
with Senate Amendments**

Fifty-seventh
Legislative Assembly
of North Dakota

REENGROSSED HOUSE BILL NO. 1066

Introduced by

Judiciary Committee

(At the request of the Board of University and School Lands)

1 A BILL for an Act to create and enact section 47-30.1-21.1 of the North Dakota Century Code,
2 relating to abandoned property payments; and to amend and reenact subsection 1 of section
3 47-30.1-22 and subsection 2 of section 47-30.1-35 of the North Dakota Century Code, relating
4 to abandoned property under the Uniform Unclaimed Property Act.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** Section 47-30.1-21.1 of the North Dakota Century Code is created and
7 enacted as follows:

8 **47-30.1-21.1. Crediting of dividends, interest, or increments to owner's account.**

9 Whenever property in the form of stocks, bonds, or cash is paid or delivered to the
10 administrator under this chapter, the owner is entitled to receive any dividends, interest, or
11 other increments realized or accruing on the property. If the property does not have an interest
12 or dividend rate assigned to it, the owner is entitled to receive simple interest at the annual rate
13 of four percent of the property originally received. Interest or dividends do not accrue to an
14 owner after five years from the date of the administrator's original receipt of the property.

15 **SECTION 2. AMENDMENT.** Subsection 1 of section 47-30.1-22 of the North Dakota
16 Century Code is amended and reenacted as follows:

17 1. Except as provided in subsection 2, the administrator, within three years after the
18 receipt of abandoned property, shall sell it to the highest bidder at public sale in
19 whatever ~~city in the state~~ manner affords in the judgment of the administrator the
20 most favorable market for the property involved. The administrator may decline
21 the highest bid and reoffer the property at a public sale if in the judgment of the
22 administrator the bid is insufficient. If in the judgment of the administrator the
23 probable cost of sale exceeds the value of the property, it need not be offered for
24 sale. Any public sale held under this section must be preceded by a single

1 publication of notice, at least ~~three~~ two weeks in advance of sale, in a newspaper
2 of general circulation in the county in which the property is to be sold.

3 **SECTION 3. AMENDMENT.** Subsection 2 of section 47-30.1-35 of the North Dakota
4 Century Code is amended and reenacted as follows:

5 2. An agreement entered into after such twenty-four-month period is enforceable only
6 if the agreement is in writing and the aggregate fee, compensation, or commission
7 ~~paid directly or indirectly~~ charged is not in excess of ~~twenty-five~~ ten percent of the
8 amount recovered.