



Nebraska State Treasurer's Office Unclaimed Property Division

P.O. Box 94788 - Capitol Building
Lincoln, NE 68509



Uniform Disposition of Unclaimed Property Act Neb. Rev. Stat. Sections 69-1301 to 69-1329

Section 69-1310

Property presumed abandoned; reports to State Treasurer; contents; filing date; property ac-company report; prevent abandonment, when; verification.

(a) Every person holding funds or other property, tangible or intangible, presumed abandoned under the Uniform Disposition of Unclaimed Property Act shall report to the State Treasurer with respect to the property as hereinafter provided.

(b) The report shall be verified and shall include:

(1) Except with respect to traveler's checks and money orders, the name, if known, and last-known address, if any, of each person appearing from the records of the holder to be the owner of any property presumed abandoned under the act;

(2) In case of unclaimed funds of life insurance corporations, the full name of the insured or annuitant and his or her last known address according to the life insurance corporation's records;

(3) The nature and identifying number, if any, or description of the property and the amount appearing from the records to be due, except that items of less than twenty-five dollars may be reported in the aggregate;

(4) The date when the property became payable, demandable, or returnable, and the date of the last transaction with the owner with respect to the property; and

(5) Other information which the State Treasurer may prescribe by rule as necessary for the administration of the act.

(c) If the person holding property presumed abandoned is a successor to other persons who previously held the property for the owner, or if the holder has changed his or her name while holding the property, he or she shall file with his or her report all prior known names and addresses of each holder of the property.

(d) The report shall be filed before November 1 of each year as of June 30 next preceding, but the report of life insurance corporations shall be filed before May 1 of each year as of December 31 next preceding. A one-time supplemental report shall be filed by life insurance corporations with regard to property subject to section 69-1307.05 before November 1, 2003, as of December 31, 2002, as if section 69-1307.05 had been in effect before January 1, 2003. The property must accompany the report unless excused by the State Treasurer for good cause. The State Treasurer may postpone the reporting date upon written request by any person required to file a report.

(e) If the holder of property presumed abandoned under the act knows the whereabouts of the owner and if the owner's claim has not been barred by the statute of limitations, the holder shall, before filing the annual report, communicate with the owner and take necessary steps to prevent abandonment from being presumed. The holder shall exercise due diligence to ascertain the whereabouts of the owner.

(f) Verification, if made by a partnership, shall be executed by a partner; if made by a limited liability company, by a member; if made by an unincorporated association or private corporation, by an officer; and if made by a public corporation, by its chief fiscal officer.

Section 69-1311

Report of property presumed abandoned; notices; time; contents; exceptions.

(a) Between March 1 and March 10 of each year the State Treasurer shall cause notice to be published once in an English language legal newspaper of general circulation in the county in this state in which is located the last-known address of any person to be named in the notice. If no address is known, then the notice shall be published in a legal newspaper having statewide circulation.

(b) The published notice shall be entitled Notice to Owners of Abandoned Property, and shall contain:

(1) The names in alphabetical order and counties of last-known addresses, if any, of persons listed in the report and entitled to notice as provided in subsection (a) of this section.

(2) A statement that information concerning the amount or description of the property and the name and address of the holder may be obtained by any person possessing an interest in the property by addressing an inquiry to the State Treasurer.

(c) The State Treasurer is not required to publish in such notice any item of less than twenty-five dollars unless he or she deems such publication to be in the public interest.

(d) Within one hundred twenty days from the receipt of the report required by section 69-1310, the State Treasurer shall mail a notice to each person having an address listed therein who appears to be entitled to property of the value of twenty-five dollars or more presumed abandoned under the Uniform Disposition of Unclaimed Property Act.



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(e) The mailed notice shall contain:

(1) A statement that, according to a report filed with the State Treasurer, property is being held to which the addressee appears entitled.

(2) The name and address of the person holding the property and any necessary information regarding changes of name and address of the holder.

(3) A statement that, if satisfactory proof of claim is presented by the owner to the State Treasurer, arrangements will be made to transfer the property to the owner as provided by law.

(f) This section is not applicable to sums payable on traveler's checks or money orders presumed abandoned under section 69-1302.

Section 69-1312

Delivery of property to State Treasurer; exceptions.

Every person who has filed a report under section 69-1310, or in the case of sums payable on traveler's checks or money orders presumed abandoned under section 69-1302, shall pay or deliver to the State Treasurer all abandoned property specified in this report, except that, if the owner establishes his right to receive the abandoned property to the satisfaction of the holder within the time specified in section 69-1311, or if it appears that for some other reason the presumption of abandonment is erroneous, the holder need not pay or deliver the property, which will no longer be presumed abandoned, to the State Treasurer, but in lieu thereof shall file a verified written explanation of the proof of claim or of the error in the presumption of abandonment.

Section 69-1313

Property; delivery to State Treasurer; custodian; holder relieved of liability; reimbursement.

Upon the payment or delivery of abandoned property to the State Treasurer or upon payment or delivery of property to the State Treasurer pursuant to section 69-1321, the state shall assume custody and shall be responsible for the safekeeping thereof. Any person who pays or delivers abandoned property to the State Treasurer under the Uniform Disposition of Unclaimed Property Act or who pays or delivers property to the State Treasurer pursuant to section 69-1321 is relieved of all liability to the extent of the value of the property so paid or delivered for any claim which then exists or which thereafter may arise or be made in respect to the property. Any holder who has paid money to the State Treasurer pursuant to the act may make payment to any person appearing to such holder to be entitled thereto, and upon proof of such payment and proof that the payee was entitled thereto, the State Treasurer shall forthwith reimburse the holder for the payment.

Section 69-1322

Failure to report property; State Treasurer; powers and duties; holder; duties.

(a) If the State Treasurer has reason to believe that any person has failed to report property in accordance with the Uniform Disposition of Unclaimed Property Act, the State Treasurer may demand that such person file a verified report or otherwise comply with the act within thirty days of the demand.

(b) The State Treasurer may at reasonable times and upon reasonable notice examine the records of any person if he or she has reason to believe that such person has failed to report property that should have been reported pursuant to the act.

(c) If an examination of the records of a person results in the disclosure of property reportable under the act, the State Treasurer may assess the cost of the examination against the holder but in no case may the charges exceed the value of the property found to be reportable.

(d)(1) Every holder required to file a report under section 69-1310, as to any property for which it has obtained the last-known address of the owner, shall maintain a record of the name and last-known address of the owner for seven years after the property becomes reportable, except to the extent that a shorter time is provided in subdivision (2) of this subsection or by rule of the State Treasurer.

(2) Any holder that sells in this state its travelers checks, money orders, or other similar written instruments on which the holder is directly liable, or that provides such instruments to others for sale in this state, shall maintain a record of those instruments while they remain outstanding, indicating the state and date of issue for three years after the date the property is reportable.

Section 69-1323

Refusal to deliver property; action to enforce delivery.

If any person refuses to deliver property to the State Treasurer as required under sections 69-1301 to 69-1329, he shall bring an action in a court of appropriate jurisdiction to enforce such delivery.



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Section 69-1324

Failing to render report or refusing to pay or deliver property; penalty.

(a) A person who fails to pay or deliver property within the time prescribed by the Uniform Disposition of Unclaimed Property Act shall be required to pay to the State Treasurer interest calculated pursuant to section 45-103 as such section was in effect on the date the property should have been paid or delivered on the value of the property from the date the property should have been paid or delivered.

(b) A person who willfully fails to render any report or perform other duties required under the act shall pay a civil penalty of one hundred dollars for each day the report is withheld or the duty is not performed, but not more than five thousand dollars.

(c) A person who willfully fails to pay or deliver property to the State Treasurer as required under the act shall pay a civil penalty equal to twenty-five percent of the value of the property that should have been paid or delivered.

(d) The interest or penalty or any portion thereof as imposed by subsections (a), (b), or (c) of this section may be waived or remitted by the State Treasurer for good cause shown.

(e) Any person who willfully refuses to pay or deliver abandoned property to the State Treasurer as required under the act shall be guilty of a Class II misdemeanor.