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# Rules of Elected Officials

## Division 50—Treasurer

### Chapter 3—Unclaimed Property

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## Title 15—ELECTED OFFICIALS

### Division 50—Treasurer Chapter 3—Unclaimed Property

#### 15 CSR 50-3.005 Definitions

*PURPOSE: Sections 447.500—447.595, RSMo comprise the Missouri Uniform Disposition of Unclaimed Property Act. This rule establishes definitions to implement the Act.*

(1) As used in 15 CSR 50-3, unless the context requires otherwise:

(A) Act means the Uniform Disposition of Unclaimed Property Act, sections 447.500—447.595, RSMo;

(B) Banking organization means any bank, trust company or safe deposit company engaged in business in this state;

(C) Business association means any corporation, joint stock company, business trust, partnership, limited partnership, any association for business purposes or any mutual fund or other similar entity, whether operating in the form of a corporation or a trust, including, but not limited to, any investment company registered under the Federal Investment Company Act of 1940;

(D) Financial organization means any savings and loan association, credit union or loan and investment company engaged in business in this state;

(E) Holder means any person in possession of property subject to sections 447.500—447.595, RSMo belonging to another, or who is trustee in case of a trust or is indebted to another on an obligation subject to sections 447.500—447.595, RSMo;

(F) Insurance corporation means any association or corporation transacting within this state the business of casualty insurance or life insurance on the lives of persons or insurance appertaining to them, including, but not by way of limitation, endowments and annuities;

(G) Owner means a depositor in case of a deposit, a beneficiary in case of a trust, except a trust defined in section 456.500, RSMo, the unclaimed property of which has not escheated pursuant to the provisions of section 456.650, RSMo, a creditor, claimant or payee in case of other choses in action or any person having a legal or equitable interest in property subject to sections 447.500—447.595, RSMo or his/her legal representative;

(H) Person means any individual, business association, government or political subdivision, public corporation, public authority, estate, trust, except a trust defined in section 456.500, RSMo, two (2) or more persons

having a joint or common interest or any other legal or commercial entity;

(I) Treasurer means the Missouri state treasurer; and

(J) Utility means any person who owns or operates within this state, for public use, any plant, equipment, property, franchise or license for the transmission of communications or the production, storage, transmission, sale, delivery or furnishing of electricity, water, steam or gas.

*Auth: sections 447.503 and 447.579, RSMo (1986). \* This rule was previously filed as 4 CSR 25-1.005. Original rule filed June 3, 1985, effective Sept. 27, 1985. Amended: Filed Oct. 3, 1991, effective May 14, 1992.*

*\*Original authority: 447.503, RSMo (1984), amended 1986 and 447.579, RSMo (1984).*

#### 15 CSR 50-3.010 Unclaimed Property—General Considerations

*PURPOSE: Sections 447.500—447.595, RSMo comprise the Missouri Uniform Disposition of Unclaimed Property Act. This rule explains how to contact the administering agency.*

(1) Administration. The Uniform Disposition of Unclaimed Property Act (Act) places the responsibilities and duties of administration on the state treasurer who has explicit authority to delegate the duties to division directors or employees as deemed appropriate. The state treasurer has a section which is known as the Unclaimed Property Section (section), to which s/he has assigned the routine administrative duties of the Act (section 447.572, RSMo).

(2) Communications. The section will conduct business and the public record is available for inspection during normal business hours Monday through Friday, of all state government work days, in Room 770 of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, MO 65102. In-person visits to the section are permitted, but appointments are not required. The public record is available for sale on microfiche. The public record shall not be subject to public inspection or available for copying, reproduction or scrutiny by commercial or professional locators of property presumed abandoned who charge any service or finders' fees until ninety (90) days after the names of the people to whom property is owed have been published or officially disclosed. Any written inquiries regarding the Act or the availability

of the public record should be directed to: Unclaimed Property Section, P.O. Box 1272, Jefferson City, MO 65102. The section's telephone number is (314) 751-2411. Absolutely no collect calls will be accepted.

*Auth: sections 447.543 and 447.572, RSMo (Cum. Supp. 1989) and 447.579, RSMo (1986). \* This rule was previously filed as 4 CSR 25-1.010. Original rule filed June 3, 1985, effective Sept. 27, 1985. Amended: Filed Oct. 3, 1991, effective May 14, 1992.*

*\*Original authority: 447.503 and 447.572, RSMo (1984), amended 1986; and 447.579, RSMo (1984).*

#### 15 CSR 50-3.030 Property Deemed Unclaimed

*PURPOSE: Sections 447.500—447.595, RSMo comprise the Missouri Unclaimed Property Act. This rule provides a general description of the types of property which may be considered unclaimed within the meaning of the Act.*

(1) An exhaustive list of property which may be deemed unclaimed and therefore subject to the custodial care of Missouri by the Uniform Disposition of Unclaimed Property Act (Act) would be prohibitively long. The following list details entities and provides a general description of the various properties which may be subject to the Act and the circumstances under which this may occur:



Entity	Item	Terms of Abandonment
Banking organization, business association or financial organization	Deposits plus interest or dividends minus charges collected by an entity provided the entity gave actual or constructive notice of the charges and the charges are not routinely refunded. <i>Bona fide</i> errors do not qualify as usage charge	Owner, within seven (7) years, has not a) increased or decreased deposit or presented the passbook for credit; or b) corresponded in writing or accepted mail concerning the deposit (mailings can include, but are not limited to, IRS forms, quarterly or monthly statements and renewal notices regarding time deposits such as a certificate of deposit); or c) otherwise indicated an interest in the deposit
	Funds toward shares in a financial organization or deposit plus interest or dividends minus charges collected by an entity provided the entity gave actual or constructive notice of the charges and the charges are not routinely refunded. <i>Bona fide</i> errors do not qualify as usage charge	Owner, within seven (7) years, has not a) increased or decreased deposit or presented the passbook for credit; b) corresponded in writing or accepted mail concerning the deposit (mailings can include, but are not limited to, IRS forms, quarterly or monthly statements and renewal notices regarding time deposits such as a certificate of deposit); or c) otherwise indicated an interest in the deposit
	Certificates of deposit. The items described are not subject to charges absent a clear contract made at the time of issuance	Outstanding a minimum of seven (7) years with no correspondence or documented acceptance of mail from the owner. Mailings can include, but are not limited to, IRS forms, quarterly or monthly statements and renewal notices regarding time deposits such as a certificate of deposit
	Money orders, cashier's checks, traveler's checks or similar items	Outstanding a minimum of seven (7) years (except traveler's checks which must be outstanding a minimum of fifteen (15) years) with not correspondence to issuer
	Interest or dividend checks	Outstanding a minimum of seven (7) years with no correspondence to issuer
Business associations	Contents of safe deposit box or similar repository	Removed for nonpayment of rent, surplus from the sale of contents pursuant to sections 362.485—362.488, RSMo, or both, and unclaimed for seven (7) years. Inquiries whether in writing, in person or by telephone concerning safe deposit boxes have no effect on the seven (7)-year abandonment period. Property to be considered abandoned shall consist of contents removed from safe deposit boxes for at least seven (7) years, at which time the contents or surplus amounts accruing from a sale shall be reported
	Stock or other certificate of ownership, underlying shares, dividends, profits	Unclaimed for seven (7) years and a) held or owing by a business organization under Missouri law; or b) due a person with last known address in Missouri and held or owing by a business organized under laws of another jurisdiction but doing business in Missouri
	Intangible interest (including dividends in business associations as shown by its records)	Unclaimed and no correspondence for seven (7) years or no known address with holder doing business in Missouri
Insurance companies	Liquidated assets	Unclaimed within two (2) years from date of final distribution
	Unclaimed funds	Due to individual with last known address in Missouri or no known address with holder doing business in Missouri and unpaid for more than seven (7) years (may be presumed due per mortality tables) unless a) assigned, readjusted or paid premiums; or b) corresponded in writing with the company
Utilities	Deposits plus interest less lawful deductions,	Unclaimed seven (7) years after termination of service
Utilities/RECs, REAs and RTAs	Refunds plus interest less lawful deductions	Unclaimed seven (7) years after date payable
	Deposits plus interest less lawful deductions, refunds plus interest less lawful deductions and shares of interest or credits in the cooperative	As of August 13, 1984, seven (7) years subsequent to that date these items are due November 1, 1992 for the initial report

Entity	Item	Terms of Abandonment
Fiduciaries	All intangible personal property (including any income or increment thereon)	Unclaimed for seven (7) years—see section 447.530, RSMo for special rules.
Courts, Public Corporations, Political Subdivisions, Public Authorities	All intangible property except cash bonds, cash probation bonds or civil cash bonds	Unclaimed for seven (7) years.
Courts, Public Corporations, Political Subdivisions, Public Authorities	Cash bonds, cash probation bonds, or civil cash bonds	Reportable within one (1) year of the date of the final court action or termination of probation
All other persons or entities	All intangible personal property	Unclaimed for seven (7) years or more



Auth: sections 447.505, 447.506 and 447.595, RSMo (Cum. Supp. 1989), 447.510—447.530, 447.535 and 447.579, RSMo (1986), 447.532, RSMo (Cum. Supp. 1990) and 447.533, RSMo (Cum. Supp. 1992). \* This rule was previously filed as 4 CSR 25-1.030. Original rule filed June 3, 1985, effective Sept. 27, 1985. Amended: Filed Oct. 3, 1991, effective May 14, 1992.

\*Original authority: 447.505, RSMo (1984), amended 1989; 447.506 and 447.595, RSMo (1984), 447.510—447.527 and 447.579, RSMo (1984); 447.530 and 447.535, RSMo (1984), amended 1986; 447.532, RSMo (1984), amended 1989, 1990; and 447.533, RSMo (1990), amended 1992.

15 CSR 50-3.050 Certain Property Not Deliverable to the State

PURPOSE: This rule defines property which is not deliverable to the state.

Editor's Note: The secretary of state has determined that the publication of this rule in its entirety would be unduly cumbersome or expensive. The entire text of the material referenced has been filed with the secretary of state. This material may be found at the Office of the Secretary of State or at the headquarters of the agency and is available to any interested person at a cost established by state law.

(1) When Subject to Act. A review of the Uniform Disposition of Unclaimed Property Act (Act) and 15 CSR 50-3.030 discloses that property without an apparent owner for varying periods (generally seven (7) years) is subject to delivery to the state. The initial report is to include all items which would have been considered unclaimed had the law been in effect seven (7) years prior to August 13, 1984; therefore, the Act reaches back to pick up unclaimed property never previously so considered regardless of when the holder originally took possession. Exceptions to this rule include:

(A) Property in Possession of Probate Courts. The Act does not apply to final orders, judgments or decrees of distribution, or to abandoned property by probate courts nor to funds which are in the custody of courts per Chapter 470, RSMo.

(B) Farm Credit Act. The Act does not apply to institutions chartered under the Farm Credit Act of 1971 which are commonly referred to as Production Credit Associations (PCAs);

(C) Holder Subject to Another State's Jurisdiction. Property subject to sections 447.505, 447.510, 447.520, 447.527, 447.530 and 447.535, RSMo whose owner's last known address is in

another state and whose holder is subject to that other state's jurisdiction is not deemed deliverable to Missouri if it is reportable or remitted to the other state and the other state has a reciprocal provision with Missouri (section 447.537, RSMo);

(D) Property Where the Statute of Limitations Has Vested Title in the Holder Prior to August 13, 1984. If a holder is in possession of property believed to have vested by virtue of the statute of limitations, the property may be retained but it should be reported, along with the date of the breach which occurred to trigger the statute of limitations or a description of other circumstances which has caused the statute to run. As a general rule, a breach followed by a minimum lapse of ten (10) years is necessary before the statute of limitations may be successfully asserted (section 447.547.1. and 2., RSMo);

(E) Certain Corporations as Exceptions. Section 447.517.2. provides that certain corporations organized under Chapters 274, 357, 394 and electric service corporations organized under Chapter 351, RSMo which have received loans pursuant to the Rural Electric Association (REA) do not have the ordinary beginning date for abandoned property reporting. Instead, the seven (7)-year abandonment period begins effective August 13, 1984, with the first reporting of abandoned property due November 1, 1992; and

(F) Not-for-Profit Corporations as Exceptions. Section 447.540, RSMo provides that not-for-profit corporations exempt from federal taxation pursuant to 501(c)(3) of the Internal Revenue Service Code are exempt from remitting abandoned property to the section subsequent to August 20, 1983.

Auth: sections 447.517, 447.535, 447.537, and 447.579, RSMo (1986), 447.539 and 447.541.1. and 2., RSMo (Cum. Supp. 1989), 447.540 and 447.547.3. and 4., RSMo (Cum. Supp. 1990). \* This rule was previously filed as 4 CSR 25-1.050. Original rule filed June 3, 1985, effective Sept. 27, 1985. Amended: Filed Oct. 3, 1991, effective May 14, 1992.

\*Original authority: 447.517, 447.537, and 447.579, RSMo (1984); 447.535, RSMo (1984); amended 1986; 447.539, RSMo (1984), amended 1989; 447.541, RSMo (1984), amended 1986, 1989; and 447.540 and 447.547, RSMo (1990).

15 CSR 50-3.070 Reporting and Delivery of Property Presumed Abandoned

PURPOSE: Sections 447.500—447.595, RSMo comprise the Missouri Unclaimed Property Act. This rule explains the

reporting, examining and delivery requirements of that Act.

Editor's Note: The secretary of state has determined that the publication of this rule in its entirety would be unduly cumbersome or expensive. The entire text of the material referenced has been filed with the secretary of state. This material may be found at the Office of the Secretary of State or at the headquarters of the agency and is available to any interested person at a cost established by state law.

(1) Who Must Report. Holders are obliged to report to the section per section 447.539, RSMo.

(2) When Reports Are Due. Reports of unclaimed property are to be filed before November 1 of each year and shall contain all information as of the previous June 30 with the exception of life insurance companies which shall file before May 1 of each year concerning all information from the previous December 31. Upon written request, the treasurer may grant an extension not to exceed thirty (30) days.

(3) Searching for Owners. Holders are to exercise reasonable and necessary diligence as is consistent with good business practice in attempting to locate owners of abandoned property of fifty dollars (\$50) or more. These location efforts should be timed to occur prior to the reporting deadline (May 1, life insurance companies or November 1, all other entities). Owner location efforts may include, but are not limited to:

(A) Reviewing the holder records to determine whether the owner has other active account(s) within the entity. If the owner has an active account other than the property subject to the abandonment period, that property shall not be considered abandoned and the holder shall update its records accordingly;

(B) Mailing a letter, first-class with postage prepaid, to the last known address of the owner. The letter should apprise the owner of the existence of the property, of the imminent delivery to the state and should request a response. If the letter is not returned by the post office, the holder shall assume the owner accepted mail from the banking or financial organization (see 15 CSR 50-3.005(1)(B) or (E)). All other holders shall assume the property is abandoned and shall remit accordingly;

(C) Publishing information about the property in a newspaper calculated to be seen by the owner; and

(D) Contacting the owner by telephone is acceptable notification, however, the holder shall document that contact was made.

(4) Form of Reports to the Section. Report forms will be supplied by the section and shall be verified by the person filing who shall be—a partner, if the holder is a partnership, or an officer, if the holder is a corporation. The report shall clearly and concisely declare—

(A) The name and address of the holder and, if a successor to another holder or if a name change has occurred, all previous names and addresses;

(B) The name, last known address and amount due each owner of fifty dollars (\$50) or more plus the description and identifying number, if any, of the property;

(C) The date the property became payable, demandable, issued or returnable, if any, and the date of the last transaction;

(D) At the time the property is determined to be abandoned and reportable, any applicable interest rate shall be supplied by the holder;

(E) Amounts under fifty dollars (\$50) may be reported in aggregate as lump sums and without name or address (for example, seventeen (17) aggregate owners due a total of two hundred eleven dollars and fifty-five cents (\$211.55));

(F) Computer printouts or tapes of owner information are acceptable in lieu of the holder report form. However, the printouts or tapes must include the same information as outlined in section (4). Holders submitting a computer tape in lieu of the report form must contact the section to obtain data processing standards;

(G) Cashier's checks or other similar instruments on which the holder is directly liable may pose some problems as it may be unclear whether the remitter or the payee is the owner. The holders of these instruments should provide information on both, if available (section 447.539, RSMo);

(H) Courts maintaining accounts for the purpose of administering child support payments shall report and remit any accounts seven (7) years from the date the property became payable;

(I) Underlying shares are presumed abandoned when the owner fails to exercise rights of ownership, including, but not limited to, failure to cash a dividend check or communicate with the holder which issued the stock;

(J) If the holder has no property to remit, a zero (0) dollar report shall be filed. These zero (0) dollar reports must include the same information as outlined in subsection (4)(A);

(K) Not for profit corporations exempt from federal taxation pursuant to section 501(c)(3) of the *Internal Revenue Service Code* shall annually report property subject to Chapter 447, RSMo. These reports shall include the following:

1. All abandoned property whose last activity date was prior to August 20, 1983. This property shall be reported and remitted to the section;

2. All abandoned property subsequent to August 20, 1983 shall be reported, but not remitted; and

3. All property either remitted, or both reported with a last known address in Missouri shall be advertised pursuant to section 447.541, RSMo; and

(L) Other Exclusions. Sections 447.500—447.595, RSMo shall not apply to any property that has been unclaimed prior to January 1, 1965, where the holder is a financial or banking organization which has a principal place of business in this state.

(5) Remitting and Delivering; Costs Retained by Holders.

(A) Money shall be remitted by check made payable to the treasurer and delivered with all other property to the section when the report is filed.

(B) Corporations obliged to deliver property represented by stock certificates may—

1. Transfer title of the underlying shares to the state on the records of the issuing corporation and so advise the section; or

2. Forward the appropriate replacement stock certificates inscribed "Missouri State Treasurer"; or

3. Retain the stock rights as treasury stock or retired stock and deliver the cash value which shall be the greater of market value or book value as determined on the date of transfer to the section. In any case, the accompanying report must comply with subsection (4)(D) (sections 447.520 and 447.545.4., RSMo).

(C) Reasonable costs of compliance may be retained subject to approval of the director. A detailed, itemized listing of costs so claimed shall be filed with the report. Only actual out-of-pocket expenses necessarily incurred will be approved (section 447.543.1., RSMo).

(D) Costs incurred for the drilling and storage of safe deposit boxes shall not be considered a cost of compliance. Rather, holders shall exercise their rights as warehousemen, according to the safe deposit box law or the holder's safe deposit box contract.

(E) Examination of Holders and Enforcing Delivery. The treasurer may conduct an examination if s/he has reason to believe a holder has failed to report property pursuant to the Act. The examination may be conducted by examination staff from—

1. The appropriate regulatory entity: Divisions of Finance, Credit Union, Savings and Loan; Department of Insurance; and Public Service Commission; or

2. The section pursuant to certification by the chief officer of the appropriate regulatory entity as applicable.

(F) Examinations may not be conducted and shall not include any property prior to January 1, 1965 in which the holder is a banking or financial organization.

(6) Late Identification of Owner.

(A) Should an owner be located too late to be removed from the report to be filed, the holder should pay the money or return the property to the owner and file a verified explanation of the proof of claim or of the error in the presumption of abandonment with the director (section 447.543.1., RSMo).

(B) Holders who have remitted money to the section may make payment to owners who subsequently make demand and the holder may then be reimbursed upon proof of payment and proof that the payee was entitled to the money. Payments should be made with caution as the burden of proof will shift from the claimant to the holder.

(C) Holders who have delivered property other than money may direct subsequent claimants to the section for the return of the property or the money which resulted from a sale (section 447.558, RSMo).

*Auth: sections 447.505, 447.539, 447.543, 447.562 and 447.587, RSMo (Cum. Supp. 1989), 447.520, 447.545, 447.558 and 447.579, RSMo (1986) and 447.547, RSMo (Cum. Supp. 1990).\** This rule was previously filed as 4 CSR 25-1.070. Original rule filed June 3, 1985, effective Sept. 27, 1985. Amended: Filed Sept. 15, 1986, effective Dec. 12, 1986. Amended: Filed Oct. 3, 1991, effective May 14, 1992.

*\*Original authority: 447.505, 447.539 and 447.562, RSMo (1984), amended 1989; 447.520, 447.545 and 447.579, RSMo (1984); 447.543, RSMo (1984), amended 1986, 1989; 447.547, RSMo (1990); 447.558, RSMo (1984), amended 1986; and 447.547, RSMo (1990).*

### 15 CSR 50-3.080 Cessation of Holder's Liability

*PURPOSE: Sections 447.500—447.595, RSMo comprise the Missouri Unclaimed Property Act. This rule outlines the holders' liabilities regarding property subject to the Act.*

(1) Claims by Owners. A holder who has remitted abandoned money or property to the state is relieved of all liability for any claim which exists or which may arise. Should a holder be sued, notice by registered mail including a copy of the summons and any



other pertinent information shall be sent to the state treasurer at least ten (10) days before the return date for filing an answer to the pleading. A holder who so notifies the state treasurer will be reimbursed for any judgment rendered for the amount paid to the treasurer (section 447.545.1. and 4., RSMo).

(2) Claims by Other States. If legal proceedings are instituted against the prior holder by any other state claiming to be entitled to a fund of money or property previously remitted to the state, the prior holders shall give timely written notice to the state treasurer and the attorney general. The attorney general may intervene or take any action s/he deems appropriate to protect the interests of this state. Once the notice is so given, the treasurer will reimburse the holder for any judgment which might subsequently be rendered (section 447.545.2. and 3., RSMo).

*Auth: sections 447.500—447.505, RSMo (Cum. Supp. 1989) and 447.545, and 447.579, RSMo (1986). \* This rule was previously filed as 4 CSR 25-1.080. Original rule filed June 3, 1985, effective Sept. 27, 1985. Amended: Filed Oct. 3, 1991, effective May 14, 1992.*

*\*Original authority: 447.500 and 447.505, RSMo (1984), amended 1989 and 447.545 and 447.579, RSMo (1984).*

**15 CSR 50-3.090 Searching for Owners and Filing of Claims**

*PURPOSE: Sections 447.500—447.595, RSMo comprise the Missouri Unclaimed Property Act. This rule outlines the procedures on searches for owners of unclaimed property and filing of claims for this property.*

(1) Objective of Search. A primary objective of the Uniform Disposition of Unclaimed Property Act (Act) is the return of property to rightful owners. To this end, the Act requires a diligent search and retaining lists of property owners.

(2) Published Notices. Within one hundred twenty (120) days of the report deadline (May 1, for life insurance companies, November 1, for all other entities), the state treasurer will publish the names of owners of abandoned property in counties where the last known address is Missouri. The notice will be entitled "Notice of Names of Persons Appearing to be Owners of Abandoned Property" and it will be published one (1) day for two (2) successive weeks in the same newspaper. The notice must be published in newspapers of general

circulation as defined in section 493.050, RSMo. The notice will contain an alphabetical list of persons believed to be owners of the abandoned property valued at fifty dollars (\$50) or more, safe deposit boxes, stocks, bonds and debentures, and the last known address of the owners. The notice will include a statement that, absent a claim, property with apparent market value, other than cash, may be sold within one (1) year.

(3) Mailed Notices. Within one hundred twenty (120) days of the reporting deadline (May 1, for life insurance companies, November 1, for all other entities), the section will mail a notice to each owner of property valued at fifty dollars (\$50) or more, safe deposit boxes, stocks, bonds and debentures, who has an apparently valid address. The notice will contain a statement indicating that the addressee appears to be entitled to property and that if a proof of claim is not presented promptly, property with apparent market value, other than cash, may be disposed of within one (1) year.

(4) Records of Property. The treasurer will compile and retain the name and last known address of all owners of abandoned funds or property. The record will reflect other information as may be helpful in identifying an owner.

(5) Disposition of Property. Proceeds resulting from the liquidation of abandoned property with apparent market value shall be deposited in the abandoned fund account. Any costs associated with any liquidation shall not reduce the amount payable to the owner of the abandoned property.

(6) Claims.

(A) Claims may be filed on forms which will be provided free of charge by the section. Claims may be filed by personal delivery or by mailing the claim form to: Unclaimed Property Section, Harry S Truman State Office Building, Room 770, P.O. Box 1272, Jefferson City, MO 65102. Personal delivery is not encouraged due to the costs incurred by the claimant and the time consuming nature of the review process; personal delivery will not expedite approval or payment of a claim by more than the time otherwise used in delivery by mail. A claim will never be barred by lapse of time but interest, if any, will not accrue more than seven (7) years after delivery to the section (section 447.565, RSMo).

(B) The claim form will include, but not be limited to, the following:

1. Name, address and telephone number of claimant;

2. The name and last known address of the apparent owner as listed on the state treasurer's records;

3. Proof of ownership will be required if the claimant is the apparent owner;

4. The names, addresses and telephone numbers of all other persons who are potential heirs of the apparent owner, along with the sworn statement of claimant that s/he has no knowledge of any other potential heirs; and

5. A description of the extent to which the apparent owner's estate was administered by the probate court.

(C) In addition to the claim form, the claimant may be requested to provide the following:

1. In the event that the apparent owner is deceased, a copy of the death certificate;

2. In the event that the apparent owner is deceased and left a will which was admitted to probate, a copy of the will probate;

3. In the event that the apparent owner is deceased and letters testamentary were issued, a copy of the testamentary letter certified by the probate court;

4. In the event that the apparent owner is deceased and a refusal of letters was ordered, a copy of the refusal of letters certified by the probate court;

5. In the event that the apparent owner is deceased and a final order of distribution was entered by the probate court, a copy of the final order of distribution certified by the probate court;

6. A copy of claimant's birth certificate and, if claimant derives his/her claim through any person who is a descendant of the apparent owner, one (1) copy of the birth certificate and death certificate of that person;

7. Lost certificate affidavit or lost certificate bond may be requested concerning stock, bonds or debentures;

8. An affidavit or bond may be requested concerning an abandoned cashier's check, if the claimant is unable to provide the original check;

9. The treasurer may require any documentation, such as death or birth certificates, probate records and release agreements to be certified copies; and

10. Other documentation as the treasurer may require.

(D) If there are heirs or other persons having a right to the unclaimed property which right is at least equivalent to the right of the claimant, the claimant shall provide a release from that person(s) or authorize the treasurer to treat the claim as filed on behalf of claimant and all other like persons.

(E) Every claimant shall be required to prove by clear and convincing evidence that s/he is entitled to the funds claimed as a matter of law.

(F) If a claim is allowed, the treasurer shall issue an order approving the claim. If the claim includes stock, bonds or debentures, the treasurer will assist the claimant or owner in the transfer of the abandoned property in a way mutually agreed upon between the claimant and the treasurer.

(G) If the claim is disallowed, the treasurer will inform the claimant of the denial and set forth the reasons for the disallowance. The claimant shall have thirty (30) days with which to file a request for a hearing from the receipt of the denial.

(H) The hearing requested shall be held within ninety (90) days of receipt of the request by the treasurer. The hearing will be held at the office of the treasurer or in the Missouri county, if any, where the unclaimed property was held prior to delivery to the treasurer. The hearing shall be conducted by the treasurer or a representative designated by the treasurer.

1. Whether the hearing shall be recorded shall be determined by the person conducting the hearing provided, however, that the claimant shall be entitled to have the hearing suitably recorded by filing a request for recording in writing and agreeing to pay the expenses.

2. After consideration of testimony, evidence and records in the case, the person who conducted the hearing shall issue an order accompanied by Findings of Fact allowing or disallowing the claim. A copy of the Findings of Fact and order shall be served upon all parties or their attorneys of record by certified mail (sections 447.565 and 447.569, RSMo).

(I) Agreements to Recover Property for Compensation. All agreements to recover property on behalf of another for compensation shall be in writing, signed by the claimant or property owner and notarized. All transactions pursuant to valid enforceable contracts must be carried out in good faith and all funds due owners must be promptly delivered. Breaches by applicants on behalf of others will result in the section returning subsequent claims submitted by these applicants on behalf of others. Owners or claimants are not barred from asserting that these agreements are excessive or unjust.

*\*Original authority: 447.541, RSMo (1984), amended 1986, 1989; 447.560, 447.569 and 447.579, RSMo (1984); 447.565, RSMo (1984), amended 1989; and 447.581, RSMo (1986).*

*Auth: sections 447.541 and 447.565, RSMo (Cum. Supp. 1989) and 447.560, 447.569, 447.579 and 447.581, RSMo (1986). \* This rule was previously filed as 4 CSR 25-1.090. Original rule filed June 3, 1985, effective Sept. 27, 1985. Amended: Filed Sept. 15, 1986, effective Dec. 12, 1986. Amended: Filed Oct. 3, 1991, effective May 14, 1992.*





OFFICE OF THE MISSOURI STATE TREASURER  
UNCLAIMED PROPERTY SECTION  
**CLAIM FOR ASSETS PRESUMED ABANDONED**

P.O. BOX 1272  
JEFFERSON CITY, MO 65102-1272  
(314) 751-0123 or (314) 751-6571  
TDD (314) 751-0343

**INSTRUCTIONS**

THANK YOU FOR RESPONDING TO THE RECENT NOTIFICATION OF OWNERS OF ABANDONED PROPERTY. PLEASE COMPLETE THIS FORM, INCLUDE ANY INFORMATION REQUESTED BELOW.

**SECTION A**, OF THE CLAIM FORM CONCERNS INFORMATION ABOUT THE **ORIGINAL** OWNER. LIST THE NAME(S) ON THE ACCOUNT ADVERTISED BY THIS OFFICE AS WELL AS THE ORIGINAL, NOT NECESSARILY CURRENT, OWNER'S ADDRESS.

**SECTION B**, REQUESTS INFORMATION ABOUT THE ORGANIZATION THAT HAS SENT THE ASSET TO THE STATE. EXAMPLES OF ORGANIZATIONS INCLUDE A BANK, CORPORATION, INSURANCE COMPANY, ETC.

**SECTION C**, CONCERNS A DESCRIPTION OF THE ABANDONED ASSET. EXAMPLES INCLUDE A SAVINGS ACCOUNT, DEATH BENEFIT, UTILITY DEPOSIT, STOCK, OR SAFE DEPOSIT BOX CONTENTS.

**SECTION D**, ADDRESSES INFORMATION ABOUT WHO IS CLAIMING THE ACCOUNT. PLEASE NOTE HOW THE CHECK IS TO BE PAID, AND WHERE THE CHECK IS TO BE MAILED. IF A SEARCH FIRM IS HANDLING THIS CLAIM, PLEASE REQUEST SEARCH FIRM/HEIR LOCATOR CLAIM FORM.

**SECTION E**, IS THE AFFIDAVIT PORTION WHICH MUST BE SIGNED BY THE CLAIMANT. CLAIMS MAY BE DELAYED IF THE SIGNATURE IS NOT NOTARIZED. FOR ALL SAFE DEPOSIT BOX AND STOCK CLAIMS AND ALL CLAIMS OVER \$100, THIS FORM MUST BE NOTARIZED.

ALL QUESTIONS SHOULD BE ADDRESSED TO:

OFFICE OF THE MISSOURI STATE TREASURER  
UNCLAIMED PROPERTY SECTION  
P.O. BOX 1272  
JEFFERSON CITY, MO 65102-1272

THE ITEMS CHECKED BELOW ARE DOCUMENTS REQUIRED BY THE UNCLAIMED PROPERTY SECTION TO PROCESS YOUR CLAIM. WHENEVER POSSIBLE, PLEASE SEND **COPIES** OF THESE DOCUMENTS.

- DRIVER'S LICENSE - PHOTOCOPY
- BIRTH CERTIFICATE
- SOCIAL SECURITY CARD
- INSURANCE POLICY
- DOCUMENTATION TO VERIFY ACCOUNT ADDRESS SUCH AS A UTILITY BILL, POSTMARKED LETTER OR TAX RECEIPT AS NOTED IN SECTION A.
- STOCK CERTIFICATE (PLEASE SEND ORIGINAL CERTIFICATE IF POSSIBLE)
- COPY OF YOUR PASSBOOK, BANK STATEMENT, CHECK OR CORRESPONDENCE FROM COMPANY AS NOTED IN SECTION B.
- FINAL ORDER OF DISTRIBUTION OR FAMILY TREE
- DEATH CERTIFICATE
- VERIFY RELATIONSHIP TO \_\_\_\_\_
- MARRIAGE LICENSE/DIVORCE DECREE
- OTHER

**SECTION A - ORIGINAL OWNER**

NAME	LAST	FIRST	MIDDLE
ORIGINAL ADDRESS	STREET	CITY	STATE ZIP

**SECTION B - HOLDER INFORMATION (IF AVAILABLE)**

NAME OF COMPANY/ORGANIZATION

**SECTION C - ASSET DESCRIPTION**

ACCOUNT, POLICY, OR CHECK NUMBER	TYPE OF PROPERTY
AMOUNT OR VALUE OF PROPERTY, IF KNOWN	<b>IF EXTRA SPACE IS NEEDED FOR ADDITIONAL CLAIMANTS, ATTACH APPROPRIATE INFORMATION ON A SEPARATE SHEET OF PAPER.</b>

**SECTION D - CLAIMANT(S) INFORMATION**

(1) NAME		(2) NAME	
ADDRESS (STREET)		ADDRESS (STREET)	
CITY	STATE	ZIP	CITY STATE ZIP
TELEPHONE NUMBER	RELATIONSHIP TO OWNER	TELEPHONE NUMBER	RELATIONSHIP TO OWNER

**SECTION E - SWORN AFFIDAVIT**

I hereby certify that the above statements contained herein are true and complete and that no information has been withheld regarding ownership of the abandoned account. In the event further inquiries are made regarding this account, I authorize the Office of the Missouri State Treasurer to refer these individuals to me for resolution of their inquiry/claim.

I understand that any falsification or misrepresentation of this information will be cause for denial of this claim or legal action.

**SIGNATURE OF CLAIMANT** ▶

NOTARY PUBLIC EMBOSSEER SEAL	STATE	COUNTY (OR CITY OF ST. LOUIS)
	SUBSCRIBED AND SWORN BEFORE ME, THIS	
	DAY OF	19
	<b>USE RUBBER STAMP IN CLEAR AREA BELOW.</b>	
NOTARY PUBLIC SIGNATURE	MY COMMISSION EXPIRES	
NOTARY PUBLIC NAME (TYPED OR PRINTED)		

**DID YOU REMEMBER TO:**

- SIGN THIS FORM
- ATTACH PHOTOCOPIES OF ALL REQUESTED DOCUMENTATION
- NOTARIZE THIS FORM IF REQUIRED
- VERIFY OR COMPLETE INFORMATION IN SECTION D
- OTHER (EXPLAIN)

▶ \_\_\_\_\_

\_\_\_\_\_

**COMMENTS**

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**AMERICANS WITH DISABILITIES ACT (ADA) NOTICE**

No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs or activities of the Treasurer of Missouri, or be subjected to discrimination by the Treasurer of Missouri. Any individual needing special accommodations (e.g., documents prepared in an alternative format) should contact the ADA Coordinator at 1-314-751-8533.

**15 CSR 50-3.100 Sale Of Abandoned Property**

*PURPOSE: Sections 447.500—477.595, RSMo comprise the Missouri Unclaimed Property Act. This rule outlines the guidelines of the Department of Economic Development regarding the sale of abandoned property.*

(1) Within one (1) year of delivery, section 447.558, RSMo authorizes the department to sell all property delivered to the director at a public sale. The department shall hold property a minimum of six (6) months from the date of delivery before it may be sold. No property shall be sold by the department unless it has been advertised in accordance with section 447.541, RSMo.

(2) No employee of the Department of Economic Development, directly or indirectly, shall become the purchaser of any property sold at a sale under the provisions of the Uniform Disposition of Unclaimed Property Act nor shall the employee bid at any such sale, or be personally interested in the sale in any manner whatsoever.

*Auth: sections 447.541, RSMo (Cum. Supp. 1989) and 447.558, RSMo (1986).\* This rule was previously filed as 4 CSR 25-1.100. Original rule filed Oct. 3, 1991, effective May 14, 1992.*

*\*Original authority: 447.541, RSMo (1984), amended 1986, 1989 and 447.558, RSMo (1984), amended 1986.*