

### 556.1 Definitions and use of terms.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Banking organization*” means any bank, trust company, savings bank, savings association, industrial bank, land bank, safe deposit company, or a private banker engaged in business in this state.

2. “*Business association*” means a corporation, cooperative association, joint stock company, business trust, investment company, partnership, limited liability company, trust company, mutual fund, or other business entity consisting of one or more persons, whether or not for profit.

3. “*Cooperative association*” means any of the following:

a. An entity which is structured and operated on a cooperative basis, including an association of persons organized under [chapter 497](#), [498](#), or [499](#); or an entity composed of entities organized under those chapters.

b. A cooperative organized under [chapter 501](#).

c. A cooperative organized under [chapter 501A](#).

d. A cooperative association organized under [chapter 490](#).

e. Any other entity recognized pursuant to 26 U.S.C. §1381(a) which meets the definitional requirements of an association as provided in 12 U.S.C. §1141(j)(a) or 7 U.S.C. §291.

4. “*Electronic messaging*” means communication conducted through electronic mail, text message, or other electronic means, including but not limited to an online banking website application.

5. “*Financial organization*” means any federally chartered savings and loan association, credit union, cooperative bank or investment company, engaged in business in this state.

6. “*Holder*” means any person in possession of property subject to [this chapter](#) belonging to another, or who is trustee in case of a trust, or is indebted to another on an obligation subject to [this chapter](#).

7. “*Life insurance corporation*” means any association or corporation transacting within this state the business of insurance on the lives of persons or insurance appertaining thereto, including, but not by way of limitation, endowments and annuities.

8. “*Mineral*” means gas, oil, and coal; other gaseous, liquid, and solid hydrocarbons; oil shale; cement material; sand and gravel; road material; building stone; chemical raw material; gemstone; fissionable and nonfissionable ores; colloidal and other clays; steam and other geothermal resources; and any other substance defined as a mineral by a law of this state.

9. “*Mineral proceeds*” means amounts payable for the extraction, production, or sale of minerals, or upon the abandonment of those payments, all payments that become payable thereafter. “*Mineral proceeds*” includes amounts payable as follows:

a. For the acquisition and retention of a mineral lease, including bonuses, royalties, compensatory royalties, shut-in royalties, minimum royalties, and delay rentals.

b. For the extraction, production, or sale of minerals, including net revenue interests, royalties, overriding royalties, extraction payments, and production payments.

c. Under an agreement or option, including a joint operating agreement, unit agreement, pooling agreement, and farm-out agreement, relating to the extraction, production, or sale of minerals.

10. “*Money order*” includes an express money order and a personal money order, on which the remitter is the purchaser. “*Money order*” does not include a bank money order or any other instrument sold by a banking or financial organization if the seller has obtained the name and address of the payee.

11. “*Owner*” means a depositor in case of a deposit, a beneficiary in case of a trust, 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 [this chapter](#), or that person’s legal representative.

12. “*Person*” means any individual, business association, government or political subdivision, public corporation, public authority, estate, trust, two or more persons having a joint or common interest, or any other legal or commercial entity.

13. a. “*Property*” means a fixed and certain interest in or right in an intangible that

is held, issued, or owed in the course of a holder's business, or by a government or governmental entity, and all income or increment therefrom, including that which is referred to as or evidenced by any of the following:

- (1) Money, check, draft, deposit, interest, dividend, and income.
- (2) Credit balance, customer overpayment, gift certificate, security deposit, refund, credit memorandum, unpaid wage, unused airline ticket, unused ticket, mineral proceeds, and unidentified remittance and electronic fund transfer.
- (3) Stock or other evidence of ownership interests in a business association.
- (4) Bond, debenture, note, or other evidence of indebtedness.
- (5) Money deposited to redeem stocks, bonds, coupons, and other securities, or to make distributions.
- (6) An amount due and payable under the terms of an insurance policy, including policies providing life insurance, property and casualty insurance, workers' compensation insurance, or health and disability benefits insurance.
- (7) An amount distributable from a trust or custodian fund established under a plan to provide health, welfare, pension, vacation, severance, retirement, death, stock purchase, profit sharing, employee savings, supplemental unemployment insurance, or similar benefits.
- (8) Amounts distributable from a mineral interest in land.
- (9) Any other fixed and certain interest or right in an intangible that is held, issued, or owing in the course of a holder's business, or by a government or governmental entity.

b. "Property" does not include credits, advance payments, overpayments, refunds, or credit memoranda shown on the books and records of a business association with respect to another business association unless the balance is property described in [section 556.2](#) held by a banking organization or financial organization.

14. "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.

[C71, 73, 75, 77, 79, 81, §556.1]

95 Acts, ch 34, §1; 96 Acts, ch 1173, §1, 2; 2001 Acts, ch 142, §4, 5; 2001 Acts, ch 152, §1; 2003 Acts, ch 44, §99; 2005 Acts, ch 135, §116; 2007 Acts, ch 60, §1; 2012 Acts, ch 1017, §153; 2014 Acts, ch 1026, §120; 2023 Acts, ch 125, §1, 3

Subsection 4 applies to electronic messaging sent or received on or after July 1, 2023; 2023 Acts, ch 125, §3

NEW subsection 4 and former subsections 4 – 13 renumbered as 5 – 14