

Senate File 422 - Introduced

SENATE FILE 422
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO SSB 1055)

(COMPANION TO HF 247 BY
COMMITTEE ON COMMERCE)

A BILL FOR

1 An Act relating to communication methods regarding the
2 disposition of unclaimed property and including
3 applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 556.1, Code 2023, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3A. *“Electronic messaging”* means
4 communication conducted through electronic mail, text message,
5 or other electronic means, including but not limited to an
6 online banking website application.

7 Sec. 2. Section 556.2, subsection 5, paragraphs a and b,
8 Code 2023, are amended to read as follows:

9 a. A banking organization or financial organization shall
10 send to the owner of each account, to which none of the actions
11 specified in subsection 1, paragraphs “a” through “e” or
12 subsection 2, paragraphs “a” through “e” have occurred during
13 the preceding three calendar years, a notice by ~~certified~~
14 mail or through electronic messaging stating in substance the
15 following:

16 According to our records, we have had no contact with you
17 regarding (describe account) for more than three years. Under
18 Iowa law, if there is a period of three years without contact,
19 we may be required to transfer this account to the custody of
20 the treasurer of state of Iowa as unclaimed property. You
21 may prevent this by taking some action, such as a deposit or
22 withdrawal, or by contacting us through electronic messaging,
23 which indicates your interest in this account, or by signing
24 this form and returning it to us.

25 I desire to keep the above account open and active.

26

27 Your signature

28 b. The notice required under **this section** shall be ~~mailed~~
29 sent within thirty days of the lapse of the three-year period
30 in which there is no activity. The cost of the certified mail
31 of the notice required in **this section** may be deducted from the
32 account by the banking or financial organization.

33 Sec. 3. APPLICABILITY. This Act applies to electronic
34 messaging sent or received on or after the effective date of
35 this Act.

1

EXPLANATION

2

The inclusion of this explanation does not constitute agreement with
the explanation's substance by the members of the general assembly.

3

4 This bill relates to electronic communication regarding
5 property that is assumed to be abandoned for purposes of
6 property held by a bank, financial institution, or business
7 association.

8 The bill defines "electronic messaging" to mean
9 electronic mail, text messaging, or other electronic means of
10 communication, including an online banking website application.

11 The bill provides that methods of communication between
12 an owner of specified forms of property and a banking or
13 financial organization or by a business association that can,
14 if certain circumstances are met, prevent the property from
15 being considered abandoned include electronic messaging along
16 with correspondence in writing.

17 The bill applies to electronic messaging sent or received on
18 or after the effective date of the bill.