

AN ACT concerning property.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Uniform Disposition of Unclaimed Property Act is amended by changing Section 8.1 as follows:

(765 ILCS 1025/8.1) (from Ch. 141, par. 108.1)

Sec. 8.1. Property held by governments.

(a) All tangible personal property or intangible personal property and all debts owed or entrusted funds or other property held by any federal, state or local government or governmental subdivision, agency, entity, officer or appointee thereof, shall be presumed abandoned if the property has remained unclaimed for 7 years except as provided in subsection (c).

(b) This Section applies to all abandoned property held by any federal, state or local government or governmental subdivision, agency, entity, officer or appointee thereof, on the effective date of this amendatory Act of 1991 or at any time thereafter, regardless of when the property became or becomes presumptively abandoned.

(c) United States savings bonds.

(1) As used in this subsection, "United States savings bond" means property, tangible or intangible, in the form

of a savings bond issued by the United States Treasury, whether in paper, electronic, or paperless form, along with all proceeds thereof in the possession of the State Treasurer.

(2) Notwithstanding any provision of this Act to the contrary, a United States savings bond subject to this Section or held or owing in this State by any person shall be presumed abandoned when such bond has remained unclaimed and unredeemed for 5 years after its date of final extended maturity.

(3) United States savings bonds that are presumed abandoned and unclaimed under paragraph (2) shall escheat to the State of Illinois and all property rights and legal title to and ownership of the United States savings bonds, or proceeds from the bonds, including all rights, powers, and privileges of survivorship of any owner, co-owner, or beneficiary, shall vest solely in the State according to the procedure set forth in paragraphs (4) through (6).

(4) Within 180 days after a United States savings bond has been presumed abandoned, in the absence of a claim having been filed with the State Treasurer for the savings bond, the State Treasurer shall commence a civil action in the Circuit Court of Sangamon County for a determination that the United States savings bonds has escheated to the State. The State Treasurer may postpone the bringing of the action until sufficient United States savings bonds have

accumulated in the State Treasurer's custody to justify the expense of the proceedings.

(5) The State Treasurer shall make service by publication in the civil action in accordance with Sections 2-206 and 2-207 of the Code of Civil Procedure, which shall include the filing with the Circuit Court of Sangamon County of the affidavit required in Section 2-206 of that Code by an employee of the State Treasurer with personal knowledge of the efforts made to contact the owners of United States savings bonds presumed abandoned under this Section. In addition to the diligent inquiries made pursuant to Section 2-206 of the Code of Civil Procedure, the State Treasurer may also utilize additional discretionary means to attempt to provide notice to persons who may own a United States savings bond registered to a person with a last known address in the State of Illinois subject to a civil action pursuant to paragraph (4).

(6) The owner of a United States savings bond registered to a person with a last known address in the State of Illinois subject to a civil action pursuant to paragraph (4) may file a claim for such United States savings bond with either the State Treasurer or by filing a claim in the civil action in the Circuit Court of Sangamon County in which the savings bond registered to that person is at issue prior to the entry of a final judgment by the Circuit Court pursuant to this subsection, and unless the

Circuit Court determines that such United States savings bond is not owned by the claimant, then such United States savings bond shall no longer be presumed abandoned. If no person files a claim or appears at the hearing to substantiate a disputed claim or if the court determines that a claimant is not entitled to the property claimed by the claimant, then the court, if satisfied by evidence that the State Treasurer has substantially complied with the laws of this State, shall enter a judgment that the United States savings bonds have escheated to this State, and all property rights and legal title to and ownership of such United States savings bonds or proceeds from such bonds, including all rights, powers, and privileges of survivorship of any owner, co-owner, or beneficiary, shall vest in this State.

(7) The State Treasurer shall redeem from the Bureau of the Fiscal Service of the United States Treasury the United States savings bonds escheated to the State and deposit the proceeds from the redemption of United States savings bonds into the Unclaimed Property Trust Fund.

(8) Any person making a claim for the United States savings bonds escheated to the State under this subsection, or for the proceeds from such bonds, may file a claim with the State Treasurer. Upon providing sufficient proof of the validity of such person's claim, the State Treasurer may, in his or her sole discretion, pay such claim. If payment

Public Act 099-0556

HB5607 Enrolled

LRB099 18218 JLS 42587 b

has been made to any claimant, no action thereafter shall  
be maintained by any other claimant against the State or  
any officer thereof for or on account of such funds.

(Source: P.A. 90-167, eff. 7-23-97; 91-357, eff. 7-29-99.)