

CHAPTER 41

UNIFORM UNCLAIMED PROPERTY ACT

§1951. Short title

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1952. Definitions

(CONFLICT)

1. Administrator.

[PL 2019, c. 498, §21 (RP).]

2. Apparent owner.

[PL 2019, c. 498, §21 (RP).]

3. Business association.

[PL 2019, c. 498, §21 (RP).]

3-A. Competitive electricity provider.

[PL 2019, c. 498, §21 (RP).]

4. Domicile.

[PL 2019, c. 498, §21 (RP).]

4-A. Face value.

[PL 2019, c. 498, §21 (RP).]

5. Financial organization.

[PL 2019, c. 498, §21 (RP).]

5-A. Gift obligation.

[PL 2019, c. 498, §21 (RP).]

6. Holder.

[PL 2019, c. 498, §21 (RP).]

7. Insurance company.

[PL 2019, c. 498, §21 (RP).]

7-A. (CONFLICT: Text as enacted by PL 2019, c. 496, §1) Lawyer's trust account. "Lawyer's trust account" means a pooled trust account managed pursuant to rules adopted by the Supreme Judicial Court that earns interest or dividends at an eligible institution in which a lawyer or law firm holds funds on behalf of a client or clients. These funds are small in amount or held for a short period of time, such that the funds cannot earn interest or dividends for the client in excess of the costs incurred to secure such interest or dividends. For the purpose of this subsection, "eligible institution" means a financial organization meeting the requirements in rules adopted by the Supreme Judicial Court.

[PL 2019, c. 496, §1 (NEW).]

7-B. (CONFLICT: Text as enacted by PL 2019, c. 496, §1) Lawyer's trust account program manager. "Lawyer's trust account program manager" means an entity designated by the Supreme Judicial Court to manage the lawyer's trust account program adopted by the Supreme Judicial Court.

[PL 2019, c. 496, §1 (NEW).]

8. Mineral.

[PL 2019, c. 498, §21 (RP).]

9. Mineral proceeds.

[PL 2019, c. 498, §21 (RP).]

10. Money order.

[PL 2019, c. 498, §21 (RP).]

10-A. Multiple merchants.

[PL 2019, c. 498, §21 (RP).]

11. Owner.

[PL 2019, c. 498, §21 (RP).]

12. Person.

[PL 2019, c. 498, §21 (RP).]

12-A. Prefunded bank card.

[PL 2019, c. 498, §21 (RP).]

13. Property.

A. [PL 2019, c. 498, §21 (RP).]

B. [PL 2019, c. 498, §21 (RP).]

C. [PL 2019, c. 498, §21 (RP).]

D. [PL 2019, c. 498, §21 (RP).]

E. [PL 2019, c. 498, §21 (RP).]

F. **(CONFLICT: Text as amended by PL 2019, c. 496, §2)** An amount due and payable under the terms of an annuity or insurance policy, including policies providing life insurance, property and casualty insurance, workers' compensation insurance or health and disability insurance; [PL 2019, c. 496, §2 (AMD).]

F. **(CONFLICT: Text as repealed by PL 2019, c. 498, §21)** [PL 2019, c. 498, §21 (RP).]

G. **(CONFLICT: Text as amended by PL 2019, c. 496, §2)** An amount distributable from a trust or custodial 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; and [PL 2019, c. 496, §2 (AMD).]

G. **(CONFLICT: Text as repealed by PL 2019, c. 498, §21)** [PL 2019, c. 498, §21 (RP).]

H. **(CONFLICT: Text as enacted by PL 2019, c. 496, §3)** Funds in a lawyer's trust account. [PL 2019, c. 496, §3 (NEW).]
[PL 2019, c. 496, §§1-3 (AMD); PL 2019, c. 498, §21 (RP).]

14. Record.

[PL 2019, c. 498, §21 (RP).]

15. State.

[PL 2019, c. 498, §21 (RP).]

15-A. Stored-value card.

[PL 2019, c. 498, §21 (RP).]

15-B. United States savings bond.

[PL 2019, c. 498, §21 (RP).]

16. Utility.

[PL 2019, c. 498, §21 (RP).]

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 1999, c. 657, §16 (AMD). PL 2003, c. 339, §1 (AMD). PL 2003, c. 673, §U1 (AMD). PL 2005, c. 357, §§1-3 (AMD). PL 2015, c. 215, §1 (AMD). PL 2019, c. 496, §§1-3 (AMD). PL 2019, c. 498, §21 (RP).

§1953. Presumptions of abandonment

(CONFLICT)

1. Presumptive abandonment periods.

A. [PL 2019, c. 498, §21 (RP).]

B. [PL 2019, c. 498, §21 (RP).]

C. [PL 2019, c. 498, §21 (RP).]

D. [PL 2019, c. 498, §21 (RP).]

E. [PL 2019, c. 498, §21 (RP).]

F. [PL 2019, c. 498, §21 (RP).]

G. [PL 2019, c. 498, §21 (RP).]

G-1. [PL 2019, c. 498, §21 (RP).]

H. [PL 2019, c. 498, §21 (RP).]

I. [PL 2019, c. 498, §21 (RP).]

J. [PL 2019, c. 498, §21 (RP).]

K. [PL 2019, c. 498, §21 (RP).]

L. [PL 2019, c. 498, §21 (RP).]

M. [PL 2019, c. 498, §21 (RP).]

N. [PL 2019, c. 498, §21 (RP).]

O. **(CONFLICT: Text as amended by PL 2019, c. 496, §4)** All other property, including funds in a lawyer's trust account, 3 years after the owner's right to demand the property or after the obligation to pay or distribute the property arises, whichever first occurs; [PL 2019, c. 496, §4 (AMD).]

O. **(CONFLICT: Text as repealed by PL 2019, c. 498, §21)** [PL 2019, c. 498, §21 (RP).]

P. [PL 2019, c. 498, §21 (RP).]

Q. [PL 2019, c. 498, §21 (RP).]

R. [PL 2019, c. 498, §21 (RP).]

[PL 2019, c. 496, §4 (AMD); PL 2019, c. 498, §21 (RP).]

2. All other property rights presumed abandoned.

[PL 2019, c. 498, §21 (RP).]

3. Unclaimed.

[PL 2019, c. 498, §21 (RP).]

4. Indication of interest.

[PL 2019, c. 498, §21 (RP).]

5. Payable or distributable.

[PL 2019, c. 498, §21 (RP).]

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 1999, c. 232, §1 (AMD). PL 1999, c. 284, §§1-5 (AMD). PL 1999, c. 657, §17 (AMD). PL 2001, c. 439, §§L1-4 (AMD). PL 2003, c. 20, §§T18-22 (AMD). PL 2003, c. 339, §2 (AMD). PL 2005, c. 12, §GG1 (AMD). PL 2005, c. 357, §§4,5 (AMD). PL 2007, c. 696, §1 (AMD). RR 2011, c. 1, §48 (COR). PL 2011, c. 433, §1 (AMD). PL 2015, c. 215, §§2-4 (AMD). PL 2019, c. 496, §4 (AMD). PL 2019, c. 498, §21 (RP).

§1954. Property in safekeeping depository or held by landlord or state institution

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 1999, c. 294, §1 (RPR). PL 2001, c. 354, §3 (AMD). PL 2003, c. 20, §T23 (AMD). PL 2003, c. 303, §2 (AMD). PL 2003, c. 689, §B6 (REV). PL 2009, c. 566, §25 (AMD). PL 2019, c. 498, §21 (RP).

§1954-A. Retention of property with historic value

(REPEALED)

SECTION HISTORY

PL 1999, c. 294, §2 (NEW). PL 2019, c. 498, §21 (RP).

§1954-B. United States savings bonds

(REPEALED)

SECTION HISTORY

PL 2015, c. 215, §5 (NEW). PL 2019, c. 498, §21 (RP).

§1955. Rules for taking custody

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1956. Dormancy charge

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 1999, c. 284, §6 (AMD). PL 2019, c. 498, §21 (RP).

§1957. Burden of proof as to property evidenced by record of check or draft

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1958. Report of property presumed abandoned

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2003, c. 20, §T24 (AMD). PL 2003, c. 673, §U2 (AMD). PL 2005, c. 12, §GG2 (AMD). PL 2019, c. 498, §21 (RP).

§1959. Payment or delivery of property presumed abandoned

(CONFLICT)

1. Payment or delivery.

[PL 2019, c. 498, §21 (RP).]

2. Security or security entitlement.

[PL 2019, c. 498, §21 (RP).]

3. Certificated security.

[PL 2019, c. 498, §21 (RP).]

4. Liability and indemnification.

[PL 2019, c. 498, §21 (RP).]

5. (CONFLICT: Text as enacted by PL 2019, c. 496, §5) Payment of certain funds presumed abandoned in lawyer's trust accounts. Notwithstanding any other provision in this chapter to the contrary, a lawyer, law firm or financial institution holding funds presumed abandoned in a lawyer's trust account for which no identifying client information can be found shall file a report with the administrator pursuant to section 1958, subsection 1 and then transfer such funds, along with a copy of the report, to the lawyer's trust account program manager to provide funding to organizations whose primary purpose is to provide civil legal aid to low-income residents of the State.

[PL 2019, c. 496, §5 (NEW).]

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2003, c. 20, §T25 (AMD). PL 2019, c. 496, §5 (AMD). PL 2019, c. 498, §21 (RP).

§1960. Notice and publication of unclaimed property

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2003, c. 20, §T26 (AMD). PL 2011, c. 477, Pt. H, §1 (AMD). PL 2019, c. 498, §21 (RP).

§1961. Custody by state; recovery by holder; defense of holder

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1962. Crediting of dividends, interest and increments to owner's account

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1963. Public sale of unclaimed property

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2001, c. 714, §X1 (AMD). PL 2003, c. 20, §T27 (AMD). PL 2019, c. 498, §21 (RP).

§1964. Deposit of funds

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2003, c. 20, §T28 (AMD). PL 2019, c. 498, §21 (RP).

§1965. Claim of another state to recover property

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2003, c. 20, §T29 (AMD). PL 2019, c. 498, §21 (RP).

§1966. Filing claim with administrator; handling of claims by administrator

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1967. Action to establish claim

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1968. Election to take payment or delivery

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1969. Destruction or disposition of property having no substantial commercial value; immunity from liability

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1970. Periods of limitation

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1971. Requests for reports and examination of records

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2003, c. 20, §T30 (AMD). PL 2019, c. 498, §21 (RP).

§1972. Retention of records

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1973. Enforcement**(REPEALED)**

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1974. Interstate agreements and cooperation; joint and reciprocal actions with other states**(REPEALED)**

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2003, c. 20, §T31 (AMD). PL 2019, c. 498, §21 (RP).

§1975. Interest and penalties**(REPEALED)**

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1976. Agreements to locate property**(REPEALED)**

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1977. Foreign transactions**(REPEALED)**

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1978. Transitional provisions**(REPEALED)**

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1979. Rules**(CONFLICT)****(WHOLE SECTION CONFLICT: Text as amended by PL 2019, c. 496, §6)**

The administrator may adopt rules pursuant to the Maine Administrative Procedure Act necessary to carry out this Act. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. In addition, the Supreme Judicial Court may adopt rules for the provisions of this Act relating to lawyer's trust accounts. [PL 2019, c. 496, §6 (AMD).]

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 496, §6 (AMD).

§1979. Rules**(CONFLICT)**

(WHOLE SECTION CONFLICT: Text as repealed by PL 2019, c. 498, §21)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

§1980. Uniformity of application and construction

(REPEALED)

SECTION HISTORY

PL 1997, c. 508, §A2 (NEW). PL 1997, c. 508, §A3 (AFF). PL 2019, c. 498, §21 (RP).

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