

## **BILL ANALYSIS**

Senate Research Center  
76R1741 CAS-F

H.B. 1137  
By: Thompson (Ellis)  
Intergovernmental Relations  
5/10/1999  
Engrossed

### **DIGEST**

The 75th Legislature passed an amendment to Section 74.705, Property Code, to exempt all local government officials from paying interest to the comptroller of public accounts on escheated funds. Section 74.706, Property Code, was added during that same session to include language which provides a penalty with respect to such funds; however, the language was included before the passage of the amendment and does not provide for the exemption as added by the amendment. This bill would specify that a holder of unclaimed money does not include a local governmental entity or an officer or employee of a local governmental entity who is performing the officer's or employee's official duties for the local governmental entity.

### **PURPOSE**

As proposed, H.B. 1137 revises the Property Code relating to the penalty imposed on certain persons who fail to timely pay or deliver abandoned property.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 74.706, Property Code, to specify that for the purposes of Subsection (a), a "holder" does not include a local governmental entity or an officer or employee of a local governmental entity who is performing the officer's or employee's official duties for the local governmental entity.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.