



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4278

Introduced 1/5/2022, by Rep. Stephanie A. Kifowit

SYNOPSIS AS INTRODUCED:

765 ILCS 1026/15-904

Amends the Revised Uniform Unclaimed Property Act. Provides that an heir or agent who files an unclaimed property claim in which the decedent's property does not exceed \$250 (rather than \$100) may submit an affidavit attesting to the heir's or agent's capacity to claim in lieu of submitting a certified copy to verify a claim. Provides that, in response to the filing of an unclaimed property claim for a decedent's property not exceeding \$250, the administrator shall not require that the affidavit be accompanied by a copy of the decedent's death certificate. Effective immediately.

LRB102 22229 LNS 31359 b

1 AN ACT concerning civil law.

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

4 Section 5. The Revised Uniform Unclaimed Property Act is
5 amended by changing Section 15-904 as follows:

6 (765 ILCS 1026/15-904)

7 Sec. 15-904. When administrator must honor claim for
8 property.

9 (a) The administrator shall pay or deliver property to a
10 claimant under subsection (a) of Section 15-903 if the
11 administrator receives evidence sufficient to establish to the
12 satisfaction of the administrator that the claimant is the
13 owner of the property.

14 (b) A claim will be considered complete when a claimant
15 has provided all the information and documentation requested
16 by the administrator as necessary to establish legal ownership
17 and such information or documentation is entered into the
18 administrator's unclaimed property system. Unless extended for
19 reasonable cause, not later than 90 days after a claim is
20 complete the administrator shall allow or deny the claim and
21 give the claimant notice in a record of the decision. If a
22 claimant fails to provide all the information and
23 documentation requested by the administrator as necessary to

1 establish legal ownership of the property and the claim is
2 inactive for at least 90 days, then the administrator may
3 close the claim without issuing a final decision. However, if
4 the claimant makes a request in writing for a final decision
5 prior to the administrator's closing of the claim, the
6 administrator shall issue a final decision.

7 (b-5) An heir or agent who files an unclaimed property
8 claim in which the decedent's property does not exceed \$250
9 ~~\$100~~ may submit an affidavit attesting to the heir's or
10 agent's capacity to claim in lieu of submitting a certified
11 copy to verify a claim. The affidavit shall be accompanied by a
12 copy of other documentary proof that the administrator
13 requests, except the administrator shall not require that the
14 affidavit be accompanied by a copy of the decedent's death
15 certificate. The administrator may change the maximum value in
16 this subsection by administrative rule.

17 (c) If the claim is denied or there is insufficient
18 evidence to allow the claim under subsection (b):

19 (1) the administrator shall inform the claimant of the
20 reason for the denial and may specify what additional
21 evidence, if any, is required for the claim to be allowed;

22 (2) the claimant may file an amended claim with the
23 administrator or commence an action under Section 15-906;
24 and

25 (3) the administrator shall consider an amended claim
26 filed under paragraph (2) as an initial claim.

1 (Source: P.A. 100-22, eff. 1-1-18; 101-342, eff. 8-9-19.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.