

(7) Nothing in this section requires or permits any inspections other than those otherwise required or permitted by law.

Passed the House April 23, 1983.

Passed the Senate April 21, 1983.

Approved by the Governor May 16, 1983.

Filed in Office of Secretary of State May 16, 1983.

## CHAPTER 179

[Engrossed Substitute House Bill No. 179]

### UNCLAIMED PROPERTY—PROCEDURE AND REGULATIONS

AN ACT Relating to unclaimed property; enacting the Uniform Unclaimed Property Act of 1983; adding a new chapter to Title 63 RCW; creating new sections; repealing section 1, chapter 385, Laws of 1955, section 27, chapter 26, Laws of 1967 ex. sess., section 6, chapter 107, Laws of 1979 and RCW 63.28.070; repealing section 2, chapter 385, Laws of 1955, section 1, chapter 59, Laws of 1975-'76 2nd ex. sess., section 1, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.080; repealing section 3, chapter 385, Laws of 1955, section 2, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.090; repealing section 4, chapter 385, Laws of 1955, section 3, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.100; repealing section 5, chapter 385, Laws of 1955 and RCW 63.28.110; repealing section 6, chapter 385, Laws of 1955 and RCW 63.28.120; repealing section 7, chapter 385, Laws of 1955, section 4, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.130; repealing section 8, chapter 385, Laws of 1955, section 5, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.140; repealing section 9, chapter 385, Laws of 1955, section 1, chapter 11, Laws of 1955 ex. sess., section 6, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.150; repealing section 10, chapter 385, Laws of 1955 and RCW 63.28.160; repealing section 11, chapter 385, Laws of 1955 and RCW 63.28.170; repealing section 12, chapter 385, Laws of 1955 and RCW 63.28.180; repealing section 13, chapter 385, Laws of 1955 and RCW 63.28.190; repealing section 14, chapter 385, Laws of 1955 and RCW 63.28.200; repealing section 15, chapter 385, Laws of 1955 and RCW 63.28.210; repealing section 16, chapter 385, Laws of 1955 and RCW 63.28.220; repealing section 1, chapter 117, Laws of 1979 ex. sess. and RCW 63.28.225; repealing section 17, chapter 385, Laws of 1955 and RCW 63.28.230; repealing section 18, chapter 385, Laws of 1955 and RCW 63.28.240; repealing section 19, chapter 385, Laws of 1955 and RCW 63.28.250; repealing section 20, chapter 385, Laws of 1955 and RCW 63.28.260; repealing section 21, chapter 385, Laws of 1955 and RCW 63.28.270; repealing section 22, chapter 385, Laws of 1955 and RCW 63.28.280; repealing section 23, chapter 385, Laws of 1955 and RCW 63.28.290; repealing section 24, chapter 385, Laws of 1955 and RCW 63.28.300; repealing section 25, chapter 385, Laws of 1955 and RCW 63.28.310; repealing section 26, chapter 385, Laws of 1955 and RCW 63.28.320; repealing section 27, chapter 385, Laws of 1955 and RCW 63.28.330; repealing section 28, chapter 385, Laws of 1955 and RCW 63.28.340; repealing section 29, chapter 385, Laws of 1955 and RCW 63.28.350; repealing section 1, chapter 289, Laws of 1959, section 4, chapter 28, Laws of 1975 1st ex. sess. and RCW 63.28.360; repealing section 32, chapter 385, Laws of 1955 and RCW 63.28.900; repealing section 31, chapter 385, Laws of 1955 and RCW 63.28.910; repealing section 30, chapter 385, Laws of 1955 and RCW 63.28.920; prescribing penalties; providing an effective date; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

**NEW SECTION.** Sec. 1. DEFINITIONS AND USE OF TERMS. As used in this chapter, unless the context otherwise requires:

(1) "Department" means the department of revenue established under RCW 82.01.050.

(2) "Apparent owner" means the person whose name appears on the records of the holder as the person entitled to property held, issued, or owing by the holder.

(3) "Attorney general" means the chief legal officer of this state referred to in chapter 43.10 RCW.

(4) "Banking organization" means a bank, trust company, savings bank, land bank, safe deposit company, private banker, or any organization defined by other law as a bank or banking organization.

(5) "Business association" means a nonpublic corporation, joint stock company, investment company, business trust, partnership, or association for business purposes of two or more individuals, whether or not for profit, including a banking organization, financial organization, insurance company, or utility.

(6) "Domicile" means the state of incorporation of a corporation and the state of the principal place of business of an unincorporated person.

(7) "Financial organization" means a savings and loan association, cooperative bank, building and loan association, or credit union.

(8) "Holder" means a person, wherever organized or domiciled, who is:

(a) In possession of property belonging to another,

(b) A trustee, or

(c) Indebted to another on an obligation.

(9) "Insurance company" means an association, corporation, fraternal or mutual benefit organization, whether or not for profit, which is engaged in providing insurance coverage, including accident, burial, casualty, credit life, contract performance, dental, fidelity, fire, health, hospitalization, illness, life (including endowments and annuities), malpractice, marine, mortgage, surety, and wage protection insurance.

(10) "Intangible property" does not include contract claims which are unliquidated but does include:

(a) Moneys, checks, drafts, deposits, interest, dividends, and income;

(b) Credit balances, customer overpayments, gift certificates, security deposits, refunds, credit memos, unpaid wages, unused airline tickets, and unidentified remittances, but does not include discounts which represent credit balances for which no consideration was given;

(c) Stocks, and other intangible ownership interests in business associations;

(d) Moneys deposited to redeem stocks, bonds, coupons, and other securities, or to make distributions;

(e) Liquidated amounts due and payable under the terms of insurance policies; and

(f) Amounts 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.

(11) "Last known address" means a description of the location of the apparent owner sufficient for the purpose of the delivery of mail.

(12) "Owner" means a depositor in the case of a deposit, a beneficiary in case of a trust other than a deposit in trust, a creditor, claimant, or payee in the case of other intangible property, or a person having a legal or equitable interest in property subject to this chapter or his legal representative.

(13) "Person" means an individual, business association, state or other government, governmental subdivision or agency, public corporation, public authority, estate, trust, two or more persons having a joint or common interest, or any other legal or commercial entity.

(14) "State" means any state, district, commonwealth, territory, insular possession, or any other area subject to the legislative authority of the United States.

(15) "Third party bank check" means any instrument drawn against a customer's account with a banking organization or financial organization on which the banking organization or financial organization is only secondarily liable.

(16) "Utility" means a person who owns or operates for public use any plant, equipment, property, franchise, or license for the transmission of communications or the production, storage, transmission, sale, delivery, or furnishing of electricity, water, steam, or gas.

**NEW SECTION. Sec. 2. PROPERTY PRESUMED ABANDONED—GENERAL RULE.** (1) Except as otherwise provided by this chapter, all intangible property, including any income or increment derived therefrom, less any lawful charges, that is held, issued, or owing in the ordinary course of the holder's business and has remained unclaimed by the owner for more than five years after it became payable or distributable is presumed abandoned.

(2) Property, with the exception of unredeemed Washington state lottery tickets and un-presented winning parimutuel tickets, is payable and distributable for the purpose of this chapter notwithstanding the owner's failure to make demand or to present any instrument or document required to receive payment.

(3) This chapter does not apply to claims drafts issued by insurance companies representing offers to settle claims unliquidated in amount or settled by subsequent drafts or others means.

**NEW SECTION. Sec. 3. GENERAL RULES FOR TAKING CUSTODY OF INTANGIBLE UNCLAIMED PROPERTY.** Unless otherwise provided in this chapter or by other statute of this state, intangible property is subject to the custody of this state as unclaimed property if the conditions raising a presumption of abandonment under sections 2 and 5 through 16 of this act are satisfied and:

(1) The last known address, as shown on the records of the holder, of the apparent owner is in this state;

(2) The records of the holder do not reflect the identity of the person entitled to the property and it is established that the last known address of the person entitled to the property is in this state;

(3) The records of the holder do not reflect the last known address of the apparent owner, and it is established that:

(a) The last known address of the person entitled to the property is in this state, or

(b) The holder is a domiciliary or a government or governmental subdivision or agency of this state and has not previously paid or delivered the property to the state of the last known address of the apparent owner or other person entitled to the property;

(4) The last known address, as shown on the records of the holder, of the apparent owner is in a state that does not provide by law for the escheat or custodial taking of the property or its escheat or unclaimed property law is not applicable to the property and the holder is a domiciliary or a government or governmental subdivision or agency of this state: PROVIDED, That a holder may rely, with acquittance, upon a list of such states which shall be provided by the department;

(5) The last known address, as shown on the records of the holder, of the apparent owner is in a foreign nation and the holder is a domiciliary or a government or governmental subdivision or agency of this state; or

(6) The transaction out of which the property arose occurred in this state; and

(a)(i) The last known address of the apparent owner or other person entitled to the property is unknown, or

(ii) The last known address of the apparent owner or other person entitled to the property is in a state that does not provide by law for the escheat or custodial taking of the property or its escheat or unclaimed property law is not applicable to the property: PROVIDED, That a holder may rely, with acquittance, upon a list of such states which shall be provided by the department, and

(b) The holder is a domiciliary of a state that does not provide by law for the escheat or custodial taking of the property or its escheat or unclaimed property law is not applicable to the property.

**NEW SECTION.** Sec. 4. TRAVELERS CHECKS AND MONEY ORDERS. (1) Subject to subsection (4) of this section, any sum payable on a travelers check that has been outstanding for more than fifteen years after its issuance is presumed abandoned unless the owner, within fifteen years, has communicated in writing with the issuer concerning it or otherwise indicated an interest as evidenced by a memorandum or other record on file prepared by an employee of the issuer.

(2) Subject to subsection (4) of this section, any sum payable on a money order or similar written instrument, other than a third party bank check, that has been outstanding for more than five years after its issuance

is presumed abandoned unless the owner, within five years, has communicated in writing with the issuer concerning it or otherwise indicated an interest as evidenced by a memorandum or other record on file prepared by an employee of the issuer.

(3) A holder may not deduct from the amount of a travelers check or money order any charge imposed by reason of the failure to present the instrument for payment unless there is a valid and enforceable written contract between the issuer and the owner of the instrument pursuant to which the issuer may impose a charge and the issuer regularly imposes such charges and does not regularly reverse or otherwise cancel them.

(4) No sum payable on a travelers check, money order, or similar written instrument, other than a third party bank check, described in subsections (1) and (2) of this section may be subjected to the custody of this state as unclaimed property unless:

(a) The records of the issuer show that the travelers check, money order, or similar written instrument was purchased in this state;

(b) The issuer has its principal place of business in this state and the records of the issuer do not show the state in which the travelers check, money order, or similar written instrument was purchased; or

(c) The issuer has its principal place of business in this state, the records of the issuer show the state in which the travelers check, money order, or similar written instrument was purchased and the laws of the state of purchase do not provide for the escheat or custodial taking of the property or its escheat or unclaimed property law is not applicable to the property. The department shall provide to the issuer a list of all such states and the issuer may rely with acquittance upon such list.

(5) Notwithstanding any other provision of this chapter, subsection (4) of this section applies to sums payable on travelers checks, money orders, and similar written instruments presumed abandoned on or after February 1, 1965, except to the extent that those sums have been paid over to a state.

**NEW SECTION. Sec. 5. CHECKS, DRAFTS, AND SIMILAR INSTRUMENTS ISSUED OR CERTIFIED BY BANKING AND FINANCIAL ORGANIZATIONS.** (1) Any sum payable on a check, draft, or similar instrument, except those subject to section 4 of this act, on which a banking or financial organization is directly liable, including a cashier's check and a certified check, which has been outstanding for more than five years after it was payable or after its issuance if payable on demand, is presumed abandoned, unless the owner, within five years, has communicated in writing with the banking or financial organization concerning it or otherwise indicated an interest as evidenced by a memorandum or other record on file prepared by an employee thereof.

(2) A holder may not deduct from the amount of any instrument subject to this section any charge imposed by reason of the failure to present the

instrument for payment unless there is a valid and enforceable written contract between the holder and the owner of the instrument pursuant to which the holder may impose a charge, and the holder regularly imposes such charges and does not regularly reverse or otherwise cancel them.

**NEW SECTION. Sec. 6. BANK DEPOSITS AND FUNDS IN FINANCIAL ORGANIZATIONS.** (1) Any demand, savings, or matured time deposit with a banking or financial organization, including a deposit that is automatically renewable, and any funds paid toward the purchase of a share, a mutual investment certificate, or any other interest in a banking or financial organization is presumed abandoned unless the owner, within five years, has:

(a) In the case of a deposit, increased or decreased its amount or presented the passbook or other similar evidence of the deposit for the crediting of interest;

(b) Communicated in writing with the banking or financial organization concerning the property;

(c) Otherwise indicated an interest in the property as evidenced by a memorandum or other record on file prepared by an employee of the banking or financial organization;

(d) Owned other property to which subsection (1) (a), (b), or (c) of this section applies and if the banking or financial organization communicates in writing with the owner with regard to the property that would otherwise be presumed abandoned under this subsection at the address to which communications regarding the other property regularly are sent; or

(e) Had another relationship with the banking or financial organization concerning which the owner has:

(i) In the case of a deposit, increased or decreased the amount of the deposit or presented the passbook or other similar evidence of the deposit for the crediting of interest;

(ii) Communicated in writing with the banking or financial organization; or

(iii) Otherwise indicated an interest as evidenced by a memorandum or other record on file prepared by an employee of the banking or financial organization and if the banking or financial organization communicates in writing with the owner with regard to the property that would otherwise be abandoned under this subsection at the address to which communications regarding the other relationship regularly are sent.

(2) For purposes of subsection (1) of this section property includes interest and dividends.

(3) This chapter shall not apply to deposits made by a guardian or decedent's personal representative with a banking organization when the deposit is subject to withdrawal only upon the order of the court in the guardianship or estate proceeding.

(4) A holder may not impose with respect to property described in subsection (1) of this section any charge due to dormancy or inactivity or cease payment of interest unless:

(a) There is an enforceable written contract between the holder and the owner of the property pursuant to which the holder may impose a charge or cease payment of interest;

(b) For property in excess of ten dollars, the holder, no more than three months before the initial imposition of those charges or cessation of interest, has given written notice to the owner of the amount of those charges at the last known address of the owner stating that those charges will be imposed or that interest will cease, but the notice provided in this section need not be given with respect to charges imposed or interest ceased before the effective date of this act; and

(c) The holder regularly imposes such charges or ceases payment of interest and does not regularly reverse or otherwise cancel them or retroactively credit interest with respect to the property.

(5) Any property described in subsection (1) of this section that is automatically renewable is matured for purposes of subsection (1) of this section upon the expiration of its initial time period, or after one year if the initial period is less than one year, but in the case of any renewal to which the owner consents at or about the time of renewal by communicating in writing with the banking or financial organization or otherwise indicating consent as evidenced by a memorandum or other record on file prepared by an employee of the organization, the property is matured upon the expiration of the last time period for which consent was given. If, at the time provided for delivery in section 19 of this act, a penalty or forfeiture in the payment of interest would result from the delivery of the property, the time for delivery is extended until the time when no penalty or forfeiture would result.

**NEW SECTION. Sec. 7. FUNDS OWING UNDER LIFE INSURANCE POLICIES.** (1) Funds held or owing under any life or endowment insurance policy or annuity contract that has matured or terminated are presumed abandoned if unclaimed for more than five years after the funds became due and payable as established from the records of the insurance company holding or owing the funds, but property described in subsection (3)(b) of this section is presumed abandoned if unclaimed for more than two years.

(2) If a person other than the insured or annuitant is entitled to the funds and an address of the person is not known to the company or it is not definite and certain from the records of the company who is entitled to the funds, it is presumed that the last known address of the person entitled to the funds is the same as the last known address of the insured or annuitant according to the records of the company.

(3) For purposes of this chapter, a life or endowment insurance policy or annuity contract not matured by actual proof of the death of the insured or annuitant according to the records of the company is matured and the proceeds due and payable if:

- (a) The company knows that the insured or annuitant has died; or
- (b)(i) The insured has attained, or would have attained if he were living, the limiting age under the mortality table on which the reserve is based;
- (ii) The policy was in force at the time the insured attained, or would have attained, the limiting age specified in subparagraph (i) of this subsection; and
- (iii) Neither the insured nor any other person appearing to have an interest in the policy within the preceding two years, according to the records of the company, has assigned, readjusted, or paid premiums on the policy, subjected the policy to a loan, corresponded in writing with the company concerning the policy, or otherwise indicated an interest as evidenced by a memorandum or other record on file prepared by an employee of the company.

(4) For purposes of this chapter, the application of an automatic premium loan provision or other nonforfeiture provision contained in an insurance policy does not prevent a policy from being matured or terminated under subsection (1) of this section if the insured has died or the insured or the beneficiaries of the policy otherwise have become entitled to the proceeds thereof before the depletion of the cash surrender value of a policy by the application of those provisions.

(5) If the laws of this state or the terms of the life insurance policy require the company to give notice to the insured or owner that an automatic premium loan provision or other nonforfeiture provision has been exercised and the notice, given to an insured or owner whose last known address according to the records of the company is in this state, is undeliverable, the company shall make a reasonable search to ascertain the policyholder's correct address to which the notice must be mailed.

(6) Notwithstanding any other provision of law, if the company learns of the death of the insured or annuitant and the beneficiary has not communicated with the insurer within four months after the death, the company shall take reasonable steps to pay the proceeds to the beneficiary.

(7) Commencing two years after the effective date of this act, every change of beneficiary form issued by an insurance company under any life or endowment insurance policy or annuity contract to an insured or owner who is a resident of this state must request the following information:

- (a) The name of each beneficiary, or if a class of beneficiaries is named, the name of each current beneficiary in the class;
- (b) The address of each beneficiary; and
- (c) The relationship of each beneficiary to the insured.



**NEW SECTION.** Sec. 8. DEPOSITS HELD BY UTILITIES. (1) A deposit, including any interest thereon, made by a subscriber with a utility to secure payment or any sum paid in advance for utility services to be furnished, less any lawful deductions, that remains unclaimed by the owner for more than one year after termination of the services for which the deposit or advance payment was made is presumed abandoned.

(2) Any sum which a utility has been ordered to refund and which was received for utility services rendered in this state, together with any interest thereon, less any lawful deductions, that has remained unclaimed by the person appearing on the records of the utility entitled thereto for more than one year after the date it became payable in accordance with the final determination or order providing for the refund is presumed abandoned.

**NEW SECTION.** Sec. 9. REFUNDS HELD BY BUSINESS ASSOCIATIONS. Except to the extent otherwise ordered by the court or administrative agency, any sum that a business association has been ordered to refund by a court or administrative agency which has remained unclaimed by the owner for more than one year after it became payable in accordance with the final determination or order providing for the refund, whether or not the final determination or order requires any person entitled to a refund to make a claim for it, is presumed abandoned.

**NEW SECTION.** Sec. 10. STOCK AND OTHER INTANGIBLE INTERESTS IN BUSINESS ASSOCIATIONS. (1) Except as provided in subsections (2) and (5) of this section, stock or other intangible ownership interest in a business association, the existence of which is evidenced by records available to the association, is presumed abandoned and, with respect to the interest, the association is the holder, if a dividend, distribution, or other sum payable as a result of the interest has remained unclaimed by the owner for seven years and the owner within seven years has not:

(a) Communicated in writing with the association regarding the interest or a dividend, distribution, or other sum payable as a result of the interest; or

(b) Otherwise communicated with the association regarding the interest or a dividend, distribution, or other sum payable as a result of the interest, as evidenced by a memorandum or other record on file with the association prepared by an employee of the association.

(2) At the expiration of a seven-year period following the failure of the owner to claim a dividend, distribution, or other sum payable to the owner as a result of the interest, the interest is not presumed abandoned unless there have been at least seven dividends, distributions, or other sums paid during the period, none of which has been claimed by the owner. If seven dividends, distributions, or other sums are paid during the seven-year period, the period leading to a presumption of abandonment commences on the date payment of the first such unclaimed dividend, distribution, or other sum became due and payable. If seven dividends, distributions, or other

sums are not paid during the presumptive period, the period continues to run until there have been seven dividends, distributions, or other sums that have not been claimed by the owner.

(3) The running of the seven-year period of abandonment ceases immediately upon the occurrence of a communication referred to in subsection (1) of this section. If any future dividend, distribution, or other sum payable to the owner as a result of the interest is subsequently not claimed by the owner, a new period of abandonment commences and relates back to the time a subsequent dividend, distribution, or other sum became due and payable.

(4) At the time any interest is presumed abandoned under this section, any dividend, distribution, or other sum then held for or owing to the owner as a result of the interest, and not previously presumed abandoned, is presumed abandoned.

(5) This chapter shall not apply to any stock or other intangible ownership interest enrolled in a plan that provides for the automatic reinvestment of dividends, distributions, or other sums payable as a result of the interest unless the records available to the administrator of the plan show, with respect to any intangible ownership interest not enrolled in the reinvestment plan, that the owner has not within seven years communicated in any manner described in subsection (1) of this section.

**NEW SECTION.** Sec. 11. **PROPERTY OF BUSINESS ASSOCIATIONS HELD IN COURSE OF DISSOLUTION.** Intangible property distributable in the course of a dissolution of a business association which remains unclaimed by the owner for more than one year after the date specified for final distribution is presumed abandoned.

**NEW SECTION.** Sec. 12. **PROPERTY HELD BY AGENTS AND FIDUCIARIES.** (1) Intangible property and any income or increment derived therefrom held in a fiduciary capacity for the benefit of another person is presumed abandoned unless the owner, within five years after it has become payable or distributable, has increased or decreased the principal, accepted payment of principal or income, communicated concerning the property, or otherwise indicated an interest as evidenced by a memorandum or other record on file prepared by the fiduciary.

(2) Funds in an individual retirement account or a retirement plan for self-employed individuals or similar account or plan established pursuant to the internal revenue laws of the United States are not payable or distributable within the meaning of subsection (1) of this section unless, under the terms of the account or plan, distribution of all or part of the funds would then be mandatory.

(3) For the purpose of this section, a person who holds property as an agent for a business association is deemed to hold the property in a fiduciary capacity for that business association alone, unless the agreement between him and the business association provides otherwise.

(4) For the purposes of this chapter, a person who is deemed to hold property in a fiduciary capacity for a business association alone is the holder of the property only insofar as the interest of the business association in the property is concerned, and the business association is the holder of the property insofar as the interest of any other person in the property is concerned.

**NEW SECTION.** Sec. 13. PROPERTY HELD BY COURTS AND PUBLIC AGENCIES. Intangible property held for the owner by a court, state or other government, governmental subdivision or agency, public corporation, or public authority which remains unclaimed by the owner for more than two years after becoming payable or distributable is presumed abandoned.

**NEW SECTION.** Sec. 14. GIFT CERTIFICATES AND CREDIT MEMOS. (1) A gift certificate or a credit memo issued in the ordinary course of an issuer's business which remains unclaimed by the owner for more than five years after becoming payable or distributable is presumed abandoned.

(2) In the case of a gift certificate, the amount presumed abandoned is the price paid by the purchaser for the gift certificate. In the case of a credit memo, the amount presumed abandoned is the amount credited to the recipient of the memo.

**NEW SECTION.** Sec. 15. WAGES. Unpaid wages, including wages represented by unrepresented payroll checks, owing in the ordinary course of the holder's business which remain unclaimed by the owner for more than one year after becoming payable are presumed abandoned.

**NEW SECTION.** Sec. 16. CONTENTS OF SAFE DEPOSIT BOX OR OTHER SAFEKEEPING REPOSITORY. All tangible and intangible property held in a safe deposit box or any other safekeeping repository in this state in the ordinary course of the holder's business and proceeds resulting from the sale of the property permitted by other law, which remain unclaimed by the owner for more than five years after the lease or rental period on the box or other repository has expired, are presumed abandoned.

**NEW SECTION.** Sec. 17. REPORT OF ABANDONED PROPERTY. (1) A person holding property presumed abandoned and subject to custody as unclaimed property under this chapter shall report to the department concerning the property as provided in this section.

(2) The report must be verified and must include:

(a) Except with respect to travelers checks and money orders, the name, if known, and last known address, if any, of each person appearing from the records of the holder to be the owner of property of the value of twenty-five dollars or more presumed abandoned under this chapter;

(b) In the case of unclaimed funds of twenty-five dollars or more held or owing under any life or endowment insurance policy or annuity contract,

the full name and last known address of the insured or annuitant and of the beneficiary according to the records of the insurance company holding or owing the funds;

(c) In the case of the contents of a safe deposit box or other safekeeping repository or in the case of other tangible property, a description of the property and the place where it is held and where it may be inspected by the department, and any amounts owing to the holder;

(d) The nature and identifying number, if any, or description of the property and the amount appearing from the records to be due, but items of value under twenty-five dollars each may be reported in the aggregate;

(e) The date the property became payable, demandable, or returnable, and the date of the last transaction with the apparent owner with respect to the property; and

(f) Other information the department prescribes by rule as necessary for the administration of this chapter.

(3) If the person holding property presumed abandoned and subject to custody as unclaimed property is a successor to other persons who previously held the property for the apparent owner or the holder has changed his name while holding the property, he shall file with his report all known names and addresses of each previous holder of the property.

(4) The report must be filed before November 1 of each year as of June 30, next preceding, but the report of any life insurance company must be filed before May 1 of each year as of December 31 next preceding. On written request by any person required to file a report, the department may postpone the reporting date.

(5) Not more than one hundred twenty days before filing the report required by this section, the holder in possession of property presumed abandoned and subject to custody as unclaimed property under this chapter shall send written notice to the apparent owner at his last known address informing him that the holder is in possession of property subject to this chapter if:

(i) The holder has in its records an address for the apparent owner which the holder's records do not disclose to be inaccurate,

(ii) The claim of the apparent owner is not barred by the statute of limitations, and

(iii) The property has a value of seventy-five dollars or more.

**NEW SECTION.** Sec. 18. NOTICE AND PUBLICATION OF LISTS OF ABANDONED PROPERTY. (1) The department shall cause a notice to be published not later than March 1, or in the case of property reported by life insurance companies, September 1, immediately following the report required by section 17 of this act at least once a week for two consecutive weeks in a newspaper of general circulation in the county of this state in which is located the last known address of any person to be named in the notice. If no address is listed or the address is outside this state, the

notice must be published in the county in which the holder of the property has its principal place of business within this state.

(2) The published notice must be entitled "Notice of Names of Persons Appearing to be Owners of Abandoned Property" and contain:

(a) The names in alphabetical order and last known address, if any, of persons listed in the report and entitled to notice within the county as specified in subsection (1) of this section;

(b) A statement that information concerning the property and the name and last known address of the holder may be obtained by any person possessing an interest in the property by addressing an inquiry to the department; and

(c) A statement that if proof of claim is not presented by the owner to the holder and the owner's right to receive the property is not established to the holder's satisfaction before April 20, or, in the case of property reported by life insurance companies, before October 20, the property will be placed not later than May 1, or in the case of property reported by life insurance companies, not later than November 1, in the custody of the department and all further claims must thereafter be directed to the department.

(3) The department is not required to publish in the notice any items of less than twenty-five dollars unless the department considers their publication to be in the public interest.

(4) Not later than March 1, or in the case of property reported by life insurance companies, not later than September 1, immediately following the report required by section 17 of this act, the department shall mail a notice to each person whose last known address is listed in the report and who appears to be entitled to property of the value of twenty-five dollars or more presumed abandoned under this chapter and any beneficiary of a life or endowment insurance policy or annuity contract for whom the department has a last known address.

(5) The mailed notice must contain:

(a) A statement that, according to a report filed with the department, property is being held to which the addressee appears entitled;

(b) The name and last known address of the person holding the property and any necessary information regarding the changes of name and last known address of the holder; and

(c) A statement that, if satisfactory proof of claim is not presented by the owner to the holder by the date specified in the published notice, the property will be placed in the custody of the department and all further claims must be directed to the department.

(6) This section is not applicable to sums payable on travelers checks, money orders, and other written instruments presumed abandoned under section 4 of this act.

**NEW SECTION.** Sec. 19. PAYMENT OR DELIVERY OF ABANDONED PROPERTY. (1) Except as otherwise provided in subsections (2)

and (3) of this section, a person who is required to file a report under section 17 of this act, within six months after the final date for filing the report as required by section 17 of this act, shall pay or deliver to the department all abandoned property required to be reported.

(2) If the owner establishes the right to receive the abandoned property to the satisfaction of the holder before the property has been delivered or it appears that for some other reason the presumption of abandonment is erroneous, the holder need not pay or deliver the property to the department, and the property will no longer be presumed abandoned. In that case, the holder shall file with the department a verified written explanation of the proof of claim or of the error in the presumption of abandonment.

(3) Property reported under section 17 of this act for which the holder is not required to report the name of the apparent owner must be delivered to the department at the time of filing the report.

(4) The holder of an interest under section 10 of this act shall deliver a duplicate certificate or other evidence of ownership if the holder does not issue certificates of ownership to the department. Upon delivery of a duplicate certificate to the department, the holder and any transfer agent, registrar, or other person acting for or on behalf of a holder in executing or delivering the duplicate certificate is relieved of all liability of every kind in accordance with section 20 of this act to every person, including any person acquiring the original certificate or the duplicate of the certificate issued to the department, for any losses or damages resulting to any person by the issuance and delivery to the department of the duplicate certificate.

**NEW SECTION.** Sec. 20. CUSTODY BY STATE—HOLDER RELIEVED FROM LIABILITY—REIMBURSEMENT OF HOLDER PAYING CLAIM—RECLAIMING FOR OWNER—DEFENSE OF HOLDER—PAYMENT OF SAFE DEPOSIT BOX OR REPOSITORY CHARGES. (1) Upon the payment or delivery of property to the department, the state assumes custody and responsibility for the safekeeping of the property. A person who pays or delivers property to the department in good faith is relieved of all liability to the extent of the value of the property paid or delivered for any claim then existing or which thereafter may arise or be made in respect to the property.

(2) A holder who has paid money to the department pursuant to this chapter may make payment to any person appearing to the holder to be entitled to payment and, upon filing proof of payment and proof that the payee was entitled thereto, the department shall promptly reimburse the holder for the payment without imposing any fee or other charge. If reimbursement is sought for a payment made on an instrument, including a travelers check or money order, the holder must be reimbursed under this subsection upon filing proof that the instrument was duly presented and that payment was made to a person who appeared to the holder to be entitled to payment. The holder must be reimbursed for payment made under this subsection

even if the payment was made to a person whose claim was barred under section 29(1) of this act.

(3) A holder who has delivered property (including a certificate of any interest in a business association) other than money to the department pursuant to this chapter may reclaim the property if still in the possession of the department, without paying any fee or other charge, upon filing proof that the owner has claimed the property from the holder.

(4) The department may accept the holder's affidavit as sufficient proof of the facts that entitle the holder to recover money and property under this section.

(5) If the holder pays or delivers property to the department in good faith and thereafter another person claims the property from the holder or another state claims the money or property under its laws relating to escheat or abandoned or unclaimed property, the department, upon written notice of the claim, shall defend the holder against the claim and indemnify the holder against any liability on the claim.

(6) For the purposes of this section, "good faith" means that:

(a) Payment or delivery was made in a reasonable attempt to comply with this chapter;

(b) The person delivering the property was not a fiduciary then in breach of trust in respect to the property and had a reasonable basis for believing, based on the facts then known to him, that the property was abandoned for the purposes of this chapter; and

(c) There is no showing that the records pursuant to which the delivery was made did not meet reasonable commercial standards of practice in the industry.

(7) Property removed from a safe deposit box or other safekeeping repository is received by the department subject to the holder's right under this subsection to be reimbursed for the actual cost of the opening and to any valid lien or contract providing for the holder to be reimbursed for unpaid rent or storage charges. The department shall reimburse or pay the holder out of the proceeds remaining after deducting the department's selling cost. The liability of the department for this reimbursement to the holder shall be limited to the proceeds of the sale of the property remaining after the deduction of the department's costs.

**NEW SECTION. Sec. 21. CREDITING OF DIVIDENDS, INTEREST, OR INCREMENTS TO OWNER'S ACCOUNT.** Whenever property other than money is paid or delivered to the department under this chapter, the owner is entitled to receive from the department any dividends, interest, or other increments realized or accruing on the property at or before liquidation or conversion thereof into money.

**NEW SECTION. Sec. 22. PUBLIC SALE OF ABANDONED PROPERTY.** (1) Except as provided in subsections (2) and (3) of this section the department, within three years after the receipt of abandoned

property, shall sell it to the highest bidder at public sale in whatever city in the state affords in the judgment of the department the most favorable market for the property involved. The department may decline the highest bid and reoffer the property for sale if in the judgment of the department the bid is insufficient. If in the judgment of the department the probable cost of sale exceeds the value of the property, it need not be offered for sale. Any sale held under this section must be preceded by a single publication of notice, at least three weeks in advance of sale, in a newspaper of general circulation in the county in which the property is to be sold.

(2) Securities listed on an established stock exchange must be sold at prices prevailing at the time of sale on the exchange. Other securities may be sold over the counter at prices prevailing at the time of sale or by any other method the department considers advisable. All securities may be sold over the counter at prices prevailing at the time of the sale, or by any other method the department deems advisable.

(3) Unless the department considers it to be in the best interest of the state to do otherwise, all securities, other than those presumed abandoned under section 10 of this act, delivered to the department must be held for at least one year before being sold.

(4) Unless the department considers it to be in the best interest of the state to do otherwise, all securities presumed abandoned under section 10 of this act and delivered to the department must be held for at least three years before being sold. If the department sells any securities delivered pursuant to section 10 of this act before the expiration of the three-year period, any person making a claim pursuant to this chapter before the end of the three-year period is entitled to either the proceeds of the sale of the securities or the market value of the securities at the time the claim is made, whichever amount is greater, less any deduction for fees pursuant to section 23(2) of this act. A person making a claim under this chapter after the expiration of this period is entitled to receive either the securities delivered to the department by the holder, if they still remain in the hands of the department, or the proceeds received from sale, less any amounts deducted pursuant to section 23(2) of this act, but no person has any claim under this chapter against the state, the holder, any transfer agent, registrar, or other person acting for or on behalf of a holder for any appreciation in the value of the property occurring after delivery by the holder to the department.

(5) The purchaser of property at any sale conducted by the department pursuant to this chapter takes the property free of all claims of the owner or previous holder thereof and of all persons claiming through or under them. The department shall execute all documents necessary to complete the transfer of ownership.

NEW SECTION. Sec. 23. DEPOSIT OF FUNDS. (1) Except as otherwise provided by this section, the department shall promptly deposit in the general fund of this state all funds received under this chapter, including



the proceeds from the sale of abandoned property under section 22 of this act. The department shall retain in a separate trust fund an amount not less than two hundred fifty thousand dollars from which prompt payment of claims duly allowed must be made by the department. Before making the deposit, the department shall record the name and last known address of each person appearing from the holders' reports to be entitled to the property and the name and last known address of each insured person or annuitant and beneficiary and with respect to each policy or contract listed in the report of an insurance company its number, and the name of the company. The record must be available for public inspection at all reasonable business hours.

(2) The department of revenue may pay from the trust fund provided in subsection (1) of this section any costs of administering this chapter.

**NEW SECTION. Sec. 24. FILING OF CLAIM WITH DEPARTMENT.** (1) A person, excluding another state, claiming an interest in any property paid or delivered to the department may file with it a claim on a form prescribed by it and verified by the claimant.

(2) The department shall consider each claim within ninety days after it is filed and give written notice to the claimant if the claim is denied in whole or in part. The notice may be given by mailing it to the last address, if any, stated in the claim as the address to which notices are to be sent. If no address for notices is stated in the claim, the notice may be mailed to the last address, if any, of the claimant as stated in the claim. No notice of denial need be given if the claim fails to state either the last address to which notices are to be sent or the address of the claimant.

(3) If a claim is allowed, the department shall pay over or deliver to the claimant the property or the amount the department actually received or the net proceeds if it has been sold by the department, together with any additional amount required by section 21 of this act. If the claim is for property presumed abandoned under section 10 of this act which was sold by the department within three years after the date of delivery, the amount payable for that claim is the value of the property at the time the claim was made or the net proceeds of sale, whichever is greater. If the property claimed was interest-bearing to the owner on the date of surrender by the holder, the department also shall pay interest at the legal rate or any lesser rate the property earned while in the possession of the holder. Interest begins to accrue when the property is delivered to the department and ceases on the earlier of the expiration of ten years after delivery or the date on which payment is made to the owner. No interest on interest-bearing property is payable for any period before the effective date of this act.

(4) Any holder who pays the owner for property that has been delivered to the state and which, if claimed from the department, would be subject to subsection (3) of this section shall add interest as provided in subsection (3)

of this section. The added interest must be repaid to the holder by the department in the same manner as the principal.

**NEW SECTION. Sec. 25. CLAIM OF ANOTHER STATE TO RECOVER PROPERTY—PROCEDURE.** (1) At any time after property has been paid or delivered to the department under this chapter another state may recover the property if:

(a) The property was subjected to custody by this state because the records of the holder did not reflect the last known address of the apparent owner when the property was presumed abandoned under this chapter, and the other state establishes that the last known address of the apparent owner or other person entitled to the property was in that state and under the laws of that state the property escheated to or was subject to a claim of abandonment by that state;

(b) The last known address of the apparent owner or other person entitled to the property, as reflected by the records of the holder, is in the other state and under the laws of that state the property has escheated to or become subject to a claim of abandonment by that state;

(c) The records of the holder were erroneous in that they did not accurately reflect the actual owner of the property and the last known address of the actual owner is in the other state and under the laws of that state the property escheated to or was subject to a claim of abandonment by that state;

(d) The property was subjected to custody by this state under section 3(6) of this act and under the laws of the state of domicile of the holder the property has escheated to or become subject to a claim of abandonment by that state; or

(e) The property is the sum payable on a travelers check, money order, or other similar instrument that was subjected to custody by this state under section 4 of this act, and the instrument was purchased in the other state, and under the laws of that state the property escheated to or became subject to a claim of abandonment by that state.

(2) The claim of another state to recover escheated or abandoned property must be presented in a form prescribed by the department, who shall decide the claim within ninety days after it is presented. The department shall allow the claim if it determines that the other state is entitled to the abandoned property under subsection (1) of this section.

(3) The department shall require a state, before recovering property under this section, to agree to indemnify this state and its officers and employees against any liability on a claim for the property.

**NEW SECTION. Sec. 26. ACTION TO ESTABLISH CLAIM.** A person aggrieved by a decision of the department or whose claim has not been acted upon within ninety days after its filing may bring an action to establish the claim in the superior court of Thurston county naming the department as a defendant. The action must be brought within ninety days

after the decision of the department or within one hundred eighty days after the filing of the claim if the department has failed to act on it.

**NEW SECTION. Sec. 27. ELECTION TO TAKE PAYMENT OR DELIVERY.** (1) The department may decline to receive any property reported under this chapter which it considers to have a value less than the expense of giving notice and of sale. If the department elects not to receive custody of the property, the holder shall be notified within one hundred twenty days after filing the report required under section 17 of this act. The holder then may dispose of the property in such manner as it sees fit. No action or proceeding may be maintained against the holder for or on account of any action taken by the holder pursuant to this subsection with respect to the property.

(2) A holder, with the written consent of the department and upon conditions and terms prescribed by it, may report and deliver property before the property is presumed abandoned. Property delivered under this subsection must be held by the department and is not presumed abandoned until such time as it otherwise would be presumed abandoned under this chapter.

**NEW SECTION. Sec. 28. DESTRUCTION OR DISPOSITION OF PROPERTY HAVING INSUBSTANTIAL COMMERCIAL VALUE—IMMUNITY FROM LIABILITY.** If the department determines after investigation that any property delivered under this chapter has insubstantial commercial value, the department may destroy or otherwise dispose of the property at any time. No action or proceeding may be maintained against the state or any officer or against the holder for or on account of any action taken by the department pursuant to this section. Documents which are to be destroyed shall be copied on film and retained for ten years. Original documents which the department has identified to be destroyed and which have legal significance or historical interest may be surrendered to the state historical museum or to the state library.

**NEW SECTION. Sec. 29. PERIODS OF LIMITATION.** (1) The expiration, after September 1, 1979, of any period of time specified by contract, statute, or court order, during which a claim for money or property can be made or during which an action or proceeding may be commenced or enforced to obtain payment of a claim for money or to recover property, does not prevent the money or property from being presumed abandoned or affect any duty to file a report or to pay or deliver abandoned property to the department as required by this chapter.

(2) No action or proceeding may be commenced by the department with respect to any duty of a holder under this chapter more than six years after the duty arose.

**NEW SECTION. Sec. 30. REQUESTS FOR REPORTS AND EXAMINATION OF RECORDS.** (1) The department may require any person who has not filed a report to file a verified report stating whether or not

the person is holding any unclaimed property reportable or deliverable under this chapter. Nothing in this chapter requires reporting of property which is not subject to payment or delivery.

(2) The department, at reasonable times and upon reasonable notice, may examine the records of any person to determine whether the person has complied with the provisions of this chapter. The department may conduct the examination even if the person believes it is not in possession of any property reportable or deliverable under this chapter.

(3) If a person is treated under section 12 of this act as the holder of the property only insofar as the interest of the business association in the property is concerned, the department, pursuant to subsection (2) of this section, may examine the records of the person if the department has given the notice required by subsection (2) of this section to both the person and the business association at least ninety days before the examination.

(4) If an examination of the records of a person results in the disclosure of property reportable and deliverable under this chapter, the department may assess the cost of the examination against the holder at the rate of one hundred forty dollars a day for each examiner, but in no case may the charges exceed the lesser of three thousand dollars or the value of the property found to be reportable and deliverable. No assessment shall be imposed where the person proves that failure to report and deliver property was inadvertent. The cost of examination made pursuant to subsection (3) of this section may be imposed only against the business association.

(5) If a holder fails after the effective date of this act to maintain the records required by section 31 of this act and the records of the holder available for the periods subject to this chapter are insufficient to permit the preparation of a report, the department may require the holder to report and pay such amounts as may reasonably be estimated from any available records.

**NEW SECTION. Sec. 31. RETENTION OF RECORDS.** (1) Every holder required to file a report under section 17 of this act, as to any property for which it has obtained the last known address of the owner, shall maintain a record of the name and last known address of the owner for six years after the property becomes reportable, except to the extent that a shorter time is provided in subsection (2) of this section or by rule of the department.

(2) Any business association that sells in this state its travelers checks, money orders, or other similar written instruments, other than third-party bank checks on which the business association is directly liable, or that provides such instruments to others for sale in this state, shall maintain a record of those instruments while they remain outstanding, indicating the state and date of issue for three years after the date the property is reportable.

NEW SECTION. Sec. 32. ENFORCEMENT. The department may bring an action in a court of competent jurisdiction to enforce this chapter.

NEW SECTION. Sec. 33. INTERSTATE AGREEMENTS AND COOPERATION—JOINT AND RECIPROCAL ACTIONS WITH OTHER STATES. (1) The department may enter into agreements with other states to exchange information needed to enable this or another state to audit or otherwise determine unclaimed property that it or another state may be entitled to subject to a claim of custody. The department by rule may require the reporting of information needed to enable compliance with agreements made pursuant to this section and prescribe the form.

(2) To avoid conflicts between the department's procedures and the procedures of administrators in other jurisdictions that enact the Uniform Unclaimed Property Act, the department, so far as is consistent with the purposes, policies, and provisions of this chapter, before adopting, amending or repealing rules, shall advise and consult with administrators in other jurisdictions that enact substantially the Uniform Unclaimed Property Act and take into consideration the rules of administrators in other jurisdictions that enact the Uniform Unclaimed Property Act.

(3) The department may join with other states to seek enforcement of this chapter against any person who is or may be holding property reportable under this chapter.

(4) At the request of another state, the attorney general of this state may bring an action in the name of the administrator of the other state in any court of competent jurisdiction to enforce the unclaimed property laws of the other state against a holder in this state of property subject to escheat or a claim of abandonment by the other state, if the other state has agreed to pay expenses incurred by the attorney general in bringing the action.

(5) The department may request that the attorney general of another state or any other person bring an action in the name of the department in the other state. This state shall pay all expenses including attorney's fees in any action under this subsection. The department may agree to pay the person bringing the action attorney's fees based in whole or in part on a percentage of the value of any property recovered in the action. Any expenses paid pursuant to this subsection may not be deducted from the amount that is subject to the claim by the owner under this chapter.

NEW SECTION. Sec. 34. INTEREST AND PENALTIES. (1) A person who fails to pay or deliver property within the time prescribed by this chapter shall be required to pay to the department interest at the maximum rate permitted under RCW 19.52.020 from the date the property should have been paid or delivered.

(2) A person who wilfully fails to render any report, to pay or deliver property, or to perform other duties required under this chapter shall pay a civil penalty of one hundred dollars for each day the report is withheld or the duty is not performed, but not more than five thousand dollars, plus one

hundred percent of the value of the property which should have been reported, paid or delivered.

(3) A person who wilfully refuses after written demand by the department to pay or deliver property to the department as required under this chapter or who enters into a contract to avoid the duties of this chapter is guilty of a gross misdemeanor and upon conviction may be punished by a fine of not more than one thousand dollars or imprisonment for not more than one year, or both.

**NEW SECTION. Sec. 35. PENALTY FOR EXCESSIVE FEE FOR LOCATING ABANDONED PROPERTY.** It is unlawful for any person to seek or receive from any person or contract with any person for any fee or compensation for locating or purporting to locate any property which he knows has been reported or paid or delivered to the department of revenue pursuant to this chapter in excess of five percent of the value thereof returned to such owner. Any person violating this section is guilty of a misdemeanor and shall be fined not less than the amount of the fee or charge he has sought or received or contracted for, and not more than ten times such amount, or imprisoned for not more than thirty days, or both.

**NEW SECTION. Sec. 36. FOREIGN TRANSACTIONS.** This chapter does not apply to any property held, due, and owing in a foreign country and arising out of a foreign transaction.

**NEW SECTION. Sec. 37. EFFECT OF NEW PROVISIONS—CLARIFICATION OF APPLICATION.** (1) This chapter does not relieve a holder of a duty that arose before the effective date of this act to report, pay, or deliver property. A holder who did not comply with the law in effect before the effective date of this act is subject to the applicable enforcement and penalty provisions that then existed and they are continued in effect for the purpose of this subsection, subject to section 29(2) of this act.

(2) The initial report to be filed under this chapter shall include all property which is presumed abandoned under this chapter. The report shall include property that was not required to be reported before the effective date of this act but which would have been presumed abandoned on or after September 1, 1979 under the terms of sections 1 through 42 of this 1983 act.

(3) It shall be a defense to any action by the department that facts cannot be established because a holder, prior to January 1, 1983, destroyed or lost records or did not then keep records, if the destruction, loss, or failure to keep records did not violate laws existing at the time of the destruction, loss or failure.

**NEW SECTION. Sec. 38. RULES.** The department may adopt necessary rules in accordance with chapter 34.04 RCW to carry out the provisions of this chapter.

NEW SECTION. Sec. 39. INFORMATION AND RECORDS CONFIDENTIAL. Any information or records required to be furnished to the department of revenue as provided in this chapter shall be confidential and shall not be disclosed to any person except the person who furnished the same to the department of revenue, and except as provided in sections 18 and 23 of this act, or as may be necessary in the proper administration of this chapter.

NEW SECTION. Sec. 40. CAPTIONS NOT LAW. Captions as used in sections of this act shall not constitute any part of the law.

NEW SECTION. Sec. 41. UNIFORMITY OF APPLICATION AND CONSTRUCTION. This chapter shall be applied and construed as to effectuate its general purpose to make uniform the law with respect to the subject of this chapter among states enacting it.

NEW SECTION. Sec. 42. SHORT TITLE. This chapter may be cited as the Uniform Unclaimed Property Act of 1983.

NEW SECTION. Sec. 43. SEVERABILITY. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 44. LEGISLATIVE DIRECTIVE. Sections 1 through 42 of this act are added to Title 63 RCW as a new chapter thereof.

NEW SECTION. Sec. 45. The department shall study the effects of any deviations from the model Uniform Unclaimed Property Act which are contained in this act. The department shall report its findings, including any recommended legislation, to the legislature before October 1, 1984.

NEW SECTION. Sec. 46. The following acts or parts thereof are each hereby repealed:

(1) Section 1, chapter 385, Laws of 1955, section 27, chapter 26, Laws of 1967 ex. sess., section 6, chapter 107, Laws of 1979 and RCW 63.28.070;

(2) Section 2, chapter 385, Laws of 1955, section 1, chapter 59, Laws of 1975-'76 2nd ex. sess., section 1, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.080;

(3) Section 3, chapter 385, Laws of 1955, section 2, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.090;

(4) Section 4, chapter 385, Laws of 1955, section 3, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.100;

(5) Section 5, chapter 385, Laws of 1955 and RCW 63.28.110;

(6) Section 6, chapter 385, Laws of 1955 and RCW 63.28.120;

(7) Section 7, chapter 385, Laws of 1955, section 4, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.130;

(8) Section 8, chapter 385, Laws of 1955, section 5, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.140;

(9) Section 9, chapter 385, Laws of 1955, section 1, chapter 11, Laws of 1955 ex. sess., section 6, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.150;

(10) Section 10, chapter 385, Laws of 1955 and RCW 63.28.160;

(11) Section 11, chapter 385, Laws of 1955 and RCW 63.28.170;

(12) Section 12, chapter 385, Laws of 1955 and RCW 63.28.180;

(13) Section 13, chapter 385, Laws of 1955 and RCW 63.28.190;

(14) Section 14, chapter 385, Laws of 1955 and RCW 63.28.200;

(15) Section 15, chapter 385, Laws of 1955 and RCW 63.28.210;

(16) Section 16, chapter 385, Laws of 1955 and RCW 63.28.220;

(17) Section 1, chapter 117, Laws of 1979 ex. sess. and RCW 63.28.225;

(18) Section 17, chapter 385, Laws of 1955 and RCW 63.28.230;

(19) Section 18, chapter 385, Laws of 1955 and RCW 63.28.240;

(20) Section 19, chapter 385, Laws of 1955 and RCW 63.28.250;

(21) Section 20, chapter 385, Laws of 1955 and RCW 63.28.260;

(22) Section 21, chapter 385, Laws of 1955 and RCW 63.28.270;

(23) Section 22, chapter 385, Laws of 1955 and RCW 63.28.280;

(24) Section 23, chapter 385, Laws of 1955 and RCW 63.28.290;

(25) Section 24, chapter 385, Laws of 1955 and RCW 63.28.300;

(26) Section 25, chapter 385, Laws of 1955 and RCW 63.28.310;

(27) Section 26, chapter 385, Laws of 1955 and RCW 63.28.320;

(28) Section 27, chapter 385, Laws of 1955 and RCW 63.28.330;

(29) Section 28, chapter 385, Laws of 1955 and RCW 63.28.340;

(30) Section 29, chapter 385, Laws of 1955 and RCW 63.28.350;

(31) Section 1, chapter 289, Laws of 1959, section 4, chapter 28, Laws of 1975 1st ex. sess. and RCW 63.28.360;

(32) Section 32, chapter 385, Laws of 1955 and RCW 63.28.900;

(33) Section 31, chapter 385, Laws of 1955 and RCW 63.28.910; and

(34) Section 30, chapter 385, Laws of 1955 and RCW 63.28.920.

**NEW SECTION.** Sec. 47. EFFECTIVE DATE. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect June 30, 1983.

Passed the House April 23, 1983.

Passed the Senate April 22, 1983.

Approved by the Governor May 16, 1983.

Filed in Office of Secretary of State May 16, 1983.