

116TH CONGRESS
1ST SESSION

H. R. 5269

To provide for payment of proceeds from savings bonds to a State with title to such bonds pursuant to the judgment of a court.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 26, 2019

Mr. ESTES (for himself, Mr. DANNY K. DAVIS of Illinois, Mr. TIMMONS, Mr. MCADAMS, Mr. SMITH of Missouri, Mr. BEYER, Mr. LAHOOD, and Ms. SÁNCHEZ) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To provide for payment of proceeds from savings bonds to a State with title to such bonds pursuant to the judgment of a court.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Unclaimed Savings
5 Bond Act of 2019”.

6 **SEC. 2. TRANSFER AND REDEMPTION OF ABANDONED SAV-**
7 **INGS BONDS.**

8 Section 3105 of title 31, United States Code, is
9 amended by adding at the end the following:

1 “(f)(1) Notwithstanding any other Federal law, the
2 ownership of an applicable savings bond may be trans-
3 ferred pursuant to a valid judgment of escheatment vest-
4 ing a State with title to the bond. Nothing in this section,
5 or in any regulation promulgated by the Secretary to im-
6 plement this section, may be construed to preempt State
7 law providing for, or governing the escheatment of, appli-
8 cable savings bonds.

9 “(2) The Secretary shall recognize an order of a court
10 of competent jurisdiction that vests title to an applicable
11 savings bond with a State, regardless of whether the State
12 has possession of such bond, if the State provides the Sec-
13 retary with a certified copy of such order.

14 “(3)(A) If a State has title or is seeking to obtain
15 title through a judicial proceeding to an applicable savings
16 bond, the Secretary shall provide to the State, upon re-
17 quest, the serial number of such bond, and any reasonably
18 available records or information—

19 “(i) relating to the purchase or ownership of
20 such bond, including any transactions involving such
21 bond; or

22 “(ii) which may provide other identifying infor-
23 mation relating to such bond.

24 “(B) Any records or information provided to a State
25 pursuant to subparagraph (A) shall be considered suffi-

1 cient to enable the State to redeem the applicable savings
2 bond for full value, regardless of whether the bond is lost,
3 stolen, destroyed, mutilated, defaced, or otherwise not in
4 the possession of the State.

5 “(4)(A) Subject to subparagraph (C), a State may
6 redeem and receive payment for an applicable savings
7 bond for which the State has title pursuant to the same
8 procedures established pursuant to regulations which are
9 available for payment or redemption of a savings bond by
10 any owner of such bond.

11 “(B) The Secretary may not prescribe any regulation
12 which prevents or prohibits a State from obtaining title
13 to an applicable savings bond or redeeming such bond pur-
14 suant to the procedures described in subparagraph (A).

15 “(C) In the case of an applicable savings bond which
16 is lost, stolen, destroyed, mutilated, defaced, or otherwise
17 not in the possession of the State, if the State has re-
18 quested records and information under paragraph (3)(A),
19 any applicable period of limitation for payment or redemp-
20 tion of such bond shall not begin to run against the State
21 until the date on which the Secretary has provided the
22 State with the records and information described in such
23 paragraph.

1 “(5)(A) If the United States Government makes pay-
2 ment to a State for an applicable savings bond pursuant
3 to paragraph (4)(A)—

4 “(i) the United States Government shall not re-
5 tain any further obligation or liability relating to
6 such bond, including any obligation or liability with
7 respect to the registered owner of such bond (as de-
8 scribed in paragraph (7)(B)); and

9 “(ii) such bond shall not be redeemable by the
10 Secretary or any paying agent authorized to make
11 payments to redeem such bonds.

12 “(6) This subsection shall apply to an applicable sav-
13 ings bond issued before, on, or after the date of the enact-
14 ment of this subsection.

15 “(7) For purposes of this subsection, the term ‘appli-
16 cable savings bond’ means a matured savings bond, and
17 all payment of such bond, including interest, that—

18 “(A) was originally in paper, paperless, or elec-
19 tronic form;

20 “(B) is registered to an owner with a last
21 known address within a State claiming title under a
22 valid escheatment order entered after December 31,
23 2012, and before January 2026; and

24 “(C) has not been redeemed by such owner.”.

1 **SEC. 3. APPLICATION TO PENDING ENFORCEMENT AC-**
2 **TIONS.**

3 Neither the Attorney General nor the Secretary of the
4 Treasury may proceed in any civil action or other enforce-
5 ment proceeding that is pending on the date of the enact-
6 ment of this Act that arose out of the efforts of a State
7 to redeem one or more applicable savings bonds if the posi-
8 tion of the Government is inconsistent with the amend-
9 ments made by this Act.

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