

RESOLUTION OF THE CITY COUNCIL

No. 112

Approved March 9, 1973

RESOLVED, THAT the City Solicitor be and he hereby is authorized to appear before the 1973 Session of the General Assembly and urge passage of an Act providing for the disposition of certain funds deposited in registry of probate courts, substantially in accordance with the accompanying draft act.

IN CITY COUNCIL

MAR 1 - 1973

READ and PASSED

Robert J. Foster
.....
President
William C. Casper
.....
Clerk

APPROVED

MAR 9 1973

Joseph A. Perley
.....

MAYOR

RESOLUTION AUTHORIZING THE
CITY SOLICITOR TO APPEAR
BEFORE THE 1973 SESSION OF
THE GENERAL ASSEMBLY AND URGE
PASSAGE OF AN ACT PROVIDING
FOR DISPOSITION OF CERTAIN
FUNDS DEPOSITED IN REGISTRY
OF PROBATE COURTS.

THE COMMITTEE ON
FINANCE
Approves and recommends
The within resolution
James L. ...
FEB 21 1973

James L. ...
CLERK
FINANCE
REFERRED TO COMMITTEE ON

IN CITY
COUNCIL
FEB 15 1973
FIRST READING

Committee ...
and ... by request

State of Rhode Island, &c.

IN GENERAL ASSEMBLY

JANUARY SESSION, A. D. 19 73.

AN ACT

PROVIDING FOR THE DISPOSITION OF CERTAIN FUNDS DEPOSITED IN REGISTRY OF PROBATE COURTS.

It is enacted by the General Assembly as follows:

SECTION 1. Title 33, Chapter 18 of the General Laws, entitled "Decedents' and Incompetents' Estates" as amended, is hereby amended by adding the following sections thereto:

"33-18-32. UNCLAIMED DISTRIBUTIONS OR DEBTS PAID

OVER BY EXECUTOR, ADMINISTRATOR, OR GUARDIAN.-----Whenever any person who shall be entitled as distributee or creditor to the personal estate, or any part thereof, in the hands of an executor, administrator or guardian appointed in this state, shall for the space of five (5) years after the decree of the probate court ordering the distribution or establishing the amount of the claim, neglect to apply for the same, such executor, administrator or guardian, or probate court having control of the same, shall pay over the same to the city or town treasurer of the city or town wherein administration or guardianship was granted on said estate, taking the receipt of said treasurer, which shall be a sufficient voucher therefor.

"33-18-33. RETENTION BY CITY OR TOWN TREASURER---PAYMENT

TO PERSONS ENTITLED.-----Whenever the city or town treasurer of any city or town shall receive any money by virtue of 33-18-32, he shall retain the same in his hands for the use of the town or city of which he is treasurer until called for by the party entitled thereto or his executors, administrator or assigns;

and the town or city shall be liable to pay the amount so received, less the amounts paid out under the provisions of this chapter, to the party entitled to the same, without interest.

"33-18-34. SALE OF PERSONAL PROPERTY---PROCEEDS. If the city or town treasurer shall receive any personal property referred to in this chapter which shall consist in whole or in part of any property other than cash, he may sell the same at public auction and retain the proceeds of such sale in his hands, under the limitations and for the uses aforesaid, after paying expenses of such sale out of said fund.

"33-18-35. RECORD OF PROCEEDINGS.----- The town or city treasurer shall keep an exact record of his proceedings under the provisions of this chapter."

SEC. 2. Title 33, Chapter 21, Section 18 of the General Laws, as amended, is hereby further amended to read as follows:

"33-21-18. PROPERTY HELD BY PUBLIC OFFICERS AND AGENCIES.----

All intangible personal property held for the owner by any public corporation, public authority, or public officer of this state, or a political subdivision thereof, that has remained unclaimed by the owner for more than seven (7) years is presumed abandoned; provided, however, that no provision of this chapter shall be construed to apply to any property held by any state or municipal court, or to any officer or employee thereof by virtue of his or her office or employment thereby, or any property held by the city or town treasurer under the provisions of Chapter 18 of this title."

SEC. 3. Title 33, Chapter 20, Section 11 of the General Laws, as amended, entitled Escheat of Excess Funds, is hereby repealed.

SEC. 4. This Act shall take effect upon its passage and thereupon all acts and parts of acts inconsistent herewith shall stand repealed.