

Final Rule

LSA Document #06-498(F)

DIGEST

Amends [10 IAC 1.5-4-12](#) to conform to the repealed language. Repeals [10 IAC 1.5-4-9](#). Effective 30 days after filing with the Publisher.

[10 IAC 1.5-4-9](#); [10 IAC 1.5-4-12](#)

SECTION 1. [10 IAC 1.5-4-12](#) IS AMENDED TO READ AS FOLLOWS:

[10 IAC 1.5-4-12](#) Payment of claims

Authority: [IC 32-34-1-52](#)

Affected: [IC 32-34-1](#)

Sec. 12. (a) Warrants for payment of unclaimed property shall be authorized and payment made:

- (1) in the name of, and mailed to, the established owner;
- (2) to the court-appointed estate administrator, administratrix, executor, executrix, or personal representative;
- (3) to the court-appointed guardian;
- (4) in accordance with a court decree of distribution;
- ~~(5) To a finder, upon direction by a claimant consistent with this article;~~
- ~~(6)~~ (5) to a creditor;
- ~~(7)~~ (6) to a trustee in bankruptcy;
- ~~(8)~~ (7) to a receiver; or
- ~~(9)~~ (8) to joint claimants.

(b) It shall be the responsibility of the payee to disburse any funds or property in accordance with any existing contract or agreement.

(c) Where there are multiple claimants, the attorney general shall pay one (1) of the claimants only after that claimant has obtained releases from all other claimants allowing payment to that claimant and releasing the attorney general from liability.

(Office of Attorney General for the State; [10 IAC 1.5-4-12](#); filed Jul 1, 1997, 4:15 p.m.: 20 IR 3003; readopted filed Aug 14, 2003, 1:15 p.m.: 27 IR 946; filed Feb 26, 2007, 10:55 a.m.: [20070328-IR-010060498FRA](#))

SECTION 2. [10 IAC 1.5-4-9](#) IS REPEALED.

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Notice of Intent: [20061101-IR-010060498NIA](#)

Proposed Rule: [20061129-IR-010060498PRA](#)

Hearing Held: December 22, 2006

Approved by Attorney General: February 23, 2007

Approved by Governor: February 26, 2007

Filed with Publisher: February 26, 2007, 10:55 a.m.

Documents Incorporated by Reference: None Received by Publisher

Small Business Regulatory Coordinator: Jason Thompson, Deputy Attorney General, Office of the Indiana Attorney General, Indiana Government Center South, 5th Floor, 402 West Washington Street, Indianapolis, IN 46204, (317) 233-2413, jthompson@atg.state.in.us

Posted: 03/28/2007 by Legislative Services Agency

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