

## 2012 Kansas Statutes

**58-3965. Enforcement.** (a) The administrator, for and on behalf of this state, may commence an action in a district court of Kansas:

- (1) For an adjudication that certain property is unclaimed and payable or distributable to the administrator;
- (2) to compel presentation of a report or payment or distribution of property to the administrator;
- (3) to enforce the duty of a person to permit the examination or audit of the records of that person;
- (4) to enjoin any act that violates the public policy or provisions of this act; or
- (5) to enforce any aspect of this act in any manner.

(b) The administrator may commence such an action in the following situations:

- (1) The holder is a person domiciled in this state or is a governmental entity of this state;
- (2) the holder is a person engaged in or transacting any business in this state, although not domiciled in this state; or

- (3) the subject matter is tangible personal property held in this state.

(c) The administrator, for and on behalf of this state, may commence an action against the United States government or any agency or subdivision thereof for an adjudication that the proceeds of United States savings bonds subject to the provisions of K.S.A. 58-3934, *et seq.*, and amendments thereto, are payable to the administrator.

(d) In a situation where no district court in this state can obtain jurisdiction over the person involved, the administrator may commence such an action in a federal court or state court of another state having jurisdiction over that person.

(e) The administrator shall be deemed an indispensable party to any judicial or administrative proceedings concerning the disposition and handling of unclaimed property that is or may be payable or distributable into the protective custody of the administrator. The administrator shall have a right to intervene and participate in any judicial or administrative proceeding when to do so will be in the best interest of this state, the apparent owner or the unclaimed property or to conserve and safeguard the unclaimed property against dissipation, undue diminishment or adverse discriminatory treatment.

**History:** L. 1994, ch. 8, § 32; L. 2000, ch. 125, § 8; Apr. 27.