

1 HB327
2 214798-2
3 By Representatives Kiel and Robertson (N & P)
4 RFD: Local Legislation
5 First Read: 09-FEB-22

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ENROLLED, An Act,

Relating to Franklin County; to authorize the sheriff to sell abandoned, stolen, and unclaimed property at auction; and to provide for the auctions and the disposition of the proceeds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Sheriff of Franklin County, at public auction or Internet auction, shall sell any abandoned and stolen personal property recovered by the sheriff's department which has remained unclaimed by the rightful owner for a period of one year. All sales shall be made in a lawful manner.

Section 2. The Sheriff of Franklin County shall keep and maintain a permanent record of all abandoned and stolen personal property recovered by the sheriff's department which states the description of the property, the date of recovery, the serial or other identifying number, and the place of recovery of the property. The records shall be open to public inspection at reasonable times. All abandoned or stolen property recovered by the sheriff's department shall be stored in a suitable place to protect the property from deterioration. After reasonable attempts have been made to locate and identify the owner, perishable property may be sold at once without notice. The proceeds shall be held for a

1 period of six months for the account of the owner, and, if
2 unclaimed after that time, shall be paid to the sheriff's
3 department after deducting and paying all expenses incurred in
4 the recovery, storage, maintenance, and sale of the property.

5 Section 3. At least every 12 months, the Sheriff of
6 Franklin County shall sell at public auction or Internet
7 auction to the highest bidder for cash all abandoned or stolen
8 personal property which has been recovered by the sheriff's
9 department, which has remained unclaimed by the rightful owner
10 after a period of one year. The sales shall be made after
11 notice has been given by publication in a newspaper of general
12 circulation in Franklin County once a week for two successive
13 weeks or by posting notice in a conspicuous place at the
14 Franklin County Courthouse for a period of at least 20 days
15 prior to the sale. The notice shall contain the place, date,
16 and time of each auction and a description of each item of
17 personal property to be sold at auction. If publication of the
18 notice is made by publication in the newspaper, the first
19 notice shall run at least 20 days prior to the auction. The
20 owner of any abandoned or stolen personal property recovered
21 by the sheriff's department may redeem the property at any
22 time prior to its sale at no cost to the owner.

23 Section 4. After any property is sold at public
24 auction or Internet auction, a notation in the storage record
25 book shall be made of the sale and of the amount received for

1 the property. All sales shall be paid in cash. The person
2 making the sale may reject any and all bids if the bid amount
3 is unreasonably low and may continue the sale, from time to
4 time, if no bidders are present.

5 Section 5. The proceeds from any auction shall be
6 paid to the Office of the Sheriff of Franklin County.

7 Section 6. This act shall become effective
8 immediately following its passage and approval by the
9 Governor, or its otherwise becoming law.

