

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

2
3
4
5
6
7
8
9 A BILL
10 TO BE ENTITLED
11 AN ACT
12

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

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

24 Section 2. The Sheriff of Franklin County shall keep
25 and maintain a permanent record of all abandoned and stolen
26 personal property recovered by the sheriff's department which
27 states the description of the property, the date of recovery,

1 the serial or other identifying number, and the place of
2 recovery of the property. The records shall be open to public
3 inspection at reasonable times. All abandoned or stolen
4 property recovered by the sheriff's department shall be stored
5 in a suitable place to protect the property from
6 deterioration. After reasonable attempts have been made to
7 locate and identify the owner, perishable property may be sold
8 at once without notice. The proceeds shall be held for a
9 period of six months for the account of the owner, and, if
10 unclaimed after that time, shall be paid to the sheriff's
11 department after deducting and paying all expenses incurred in
12 the recovery, storage, maintenance, and sale of the property.

13 Section 3. At least every 12 months, the Sheriff of
14 Franklin County shall sell at public auction or Internet
15 auction to the highest bidder for cash all abandoned or stolen
16 personal property which has been recovered by the sheriff's
17 department, which has remained unclaimed by the rightful owner
18 after a period of one year. The sales shall be made after
19 notice has been given by publication in a newspaper of general
20 circulation in Franklin County once a week for two successive
21 weeks or by posting notice in a conspicuous place at the
22 Franklin County Courthouse for a period of at least 20 days
23 prior to the sale. The notice shall contain the place, date,
24 and time of each auction and a description of each item of
25 personal property to be sold at auction. If publication of the
26 notice is made by publication in the newspaper, the first
27 notice shall run at least 20 days prior to the auction. The

1 owner of any abandoned or stolen personal property recovered
2 by the sheriff's department may redeem the property at any
3 time prior to its sale at no cost to the owner.

4 Section 4. After any property is sold at public
5 auction or Internet auction, a notation in the storage record
6 book shall be made of the sale and of the amount received for
7 the property. All sales shall be paid in cash. The person
8 making the sale may reject any and all bids if the bid amount
9 is unreasonably low and may continue the sale, from time to
10 time, if no bidders are present.

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

13 Section 6. This act shall become effective
14 immediately following its passage and approval by the
15 Governor, or its otherwise becoming law.