

# HB609 INTRODUCED



1 HB609  
2 6YWWM3Z-1  
3 By Representative Rehm (N & P)  
4 RFD: Local Legislation  
5 First Read: 24-Apr-25



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A BILL  
TO BE ENTITLED  
AN ACT

Relating to Henry County; to provide for the sale, use, and destruction of certain abandoned, stolen, and unclaimed property by the Henry County Sheriff's Office and the Henry County Task Force; and to specify requirements for the sale and disposition of proceeds thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall only apply to Henry County.

Section 2. (a) The Henry County Sheriff's Office shall keep and maintain a record of all abandoned and stolen personal property recovered by the sheriff's office or the Henry County Task Force. These records shall state the description of the property, the date of recovery of the property, and the serial or other identifying number of the property. If the property is a firearm, the records shall state the description of the firearm, the date of recovery of the firearm, and the serial or other identifying number, if any.

(b) If abandoned or stolen property is sold at public auction under this act, the sheriff's office shall make a notation in the storage record of the sale and the amount



## HB609 INTRODUCED

29 received for the property.

30 (c) All records required under this section shall be  
31 open to public inspection at all reasonable times.

32 (d) All abandoned or stolen property recovered by the  
33 sheriff's office or task force shall be stored in a suitable  
34 place to protect the property from deterioration.

35 Section 3. (a) (1) As often as necessary, the Henry  
36 County Sheriff may sell at public auction, including an  
37 Internet auction, to the highest bidder all abandoned or  
38 stolen personal property that has been recovered under this  
39 act and that has remained unclaimed by the rightful owner for  
40 a period of not less than six months.

41 (2) If the abandoned or stolen property is a firearm,  
42 the person holding the auction must hold a federal firearm  
43 license issued by the Bureau of Alcohol, Tobacco, Firearms and  
44 Explosives (ATF), and all sales involving a firearm shall meet  
45 the firearm transfer requirements of federal law.

46 (b) Prior to the auction, the sheriff shall give notice  
47 by publication in a newspaper of general circulation in Henry  
48 County once a week for two successive weeks or by posting  
49 notice in a conspicuous place at the Henry County Courthouse  
50 for a period of at least 20 days. The notice shall contain the  
51 place, date, and time of each auction and a general  
52 description of items of personal property to be sold at the  
53 auction.

54 (c) Notwithstanding subsection (b), if the abandoned or  
55 stolen personal property is of a perishable nature and  
56 reasonable attempts to locate and identify the owner of the



## HB609 INTRODUCED

57 property are not successful, the property may be sold at once  
58 without notice.

59 (d) The sheriff shall attempt to obtain the best  
60 possible price for the property. The sheriff may reject any  
61 and all bids if the amount bid is unreasonably low and may  
62 continue the sale, from time to time, at his or her  
63 discretion.

64 Section 4. (a) Prior to the sale of abandoned or stolen  
65 property under this act, the owner of the property may claim  
66 the property at any time by submitting sufficient proof of  
67 ownership as determined by the sheriff.

68 (b) The sheriff may require the owner to pay a pro rata  
69 share of the costs, if any, of publication of notice of the  
70 sale of the property.

71 Section 5. (a) If abandoned or stolen property is sold  
72 under this act, the proceeds of the sale shall be held in a  
73 separate account for a period of six months for the owner.

74 (b) During the six-month period described in subsection  
75 (a), upon demand by the owner and submission of sufficient  
76 proof of ownership, the sheriff shall pay to the owner the  
77 proceeds of the sale, less any cost of recovery, storage,  
78 maintenance, and sale of the property.

79 (c) If the proceeds are not claimed within six months,  
80 after deducting and paying all expenses incurred in the  
81 recovery, storage, maintenance, and sale of the property, the  
82 net proceeds shall be paid to the sheriff to be deposited into  
83 the Sheriff's Fund. The funds in the account may be expended  
84 at the discretion of the sheriff and shall be used solely for



## HB609 INTRODUCED

85 law enforcement purposes. The receipts and expenditures of  
86 funds shall be audited by the Department of Examiners of  
87 Public Accounts.

88 Section 6. Notwithstanding any other provision of this  
89 act to the contrary, any abandoned or stolen firearm that has  
90 been obtained by the Henry County Sheriff's Office or Henry  
91 County Task Force and that has been unclaimed for a period of  
92 six or more months, as provided in this act, may be used by  
93 the Henry County Sheriff's Office at its discretion for law  
94 enforcement purposes or, if unlawful or not safe for use in  
95 the discretion of the sheriff, destroyed.

96 Section 7. This act applies to any abandoned or stolen  
97 property held on or after the effective date of this act.

98 Section 8. This act shall become effective immediately.