

**SB219 ENROLLED**



1 SB219  
2 Y98R666-2  
3 By Senator Price (N & P)  
4 RFD: Local Legislation  
5 First Read: 04-Mar-25



## SB219 Enrolled

1 Enrolled, An Act,

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3 Relating to Clay County; to authorize the sheriff to  
4 sell certain abandoned, stolen, and unclaimed property at  
5 public auction; to provide for the auctions and for the  
6 disposition of proceeds; and to authorize the sheriff to sell  
7 or destroy certain abandoned, stolen, or unclaimed firearms.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. (a) The Sheriff of Clay County shall keep  
10 and maintain a permanent record of all abandoned and stolen  
11 personal property recovered by the sheriff's office. These  
12 records shall state the description of the property, the date  
13 of recovery of the property, the serial or other identifying  
14 number of the property, and the place where the property was  
15 recovered. The records shall be open to public inspection at  
16 all reasonable times.

17 (b) All abandoned or stolen property recovered by the  
18 sheriff's office shall be stored in a suitable place to  
19 protect the property from deterioration.

20 Section 2. If the abandoned or stolen personal property  
21 is of a perishable nature and reasonable attempts to locate  
22 and identify the owner of the property are not successful, the  
23 property may be sold at once without notice. The sheriff shall  
24 attempt to obtain the best possible price for the property.  
25 The proceeds from the sale shall be held for a period of six  
26 months for the owner. During this period, the proceeds shall  
27 be paid to the owner upon demand, less any cost of recovery,  
28 storage, maintenance, and sale. If the proceeds are not



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29 claimed within six months, after deducting and paying all  
30 expenses incurred in the recovery, storage, maintenance, and  
31 sale of the property, the net funds shall be paid to the  
32 Office of the Sheriff of Clay County.

33       Section 3.(a)(1) The sheriff shall keep and maintain a  
34 permanent record of all abandoned or stolen firearms not  
35 subject to disposition by general law. The records shall state  
36 the description of the firearm, the date of recovery of the  
37 firearm, the serial or other identifying number, if any, of  
38 the firearm, and the place where the firearm was recovered.  
39 The sheriff shall take reasonable efforts to locate the owner  
40 of abandoned or stolen firearms recovered by the sheriff's  
41 office including notifying the sheriff's office, of  
42 surrounding counties of the recovered firearms.

43       (2) For the purposes of this act, "firearm" shall have  
44 the same meaning as defined in Section 13A-8-1 of the Code of  
45 Alabama 1975.

46       (b) Unless otherwise provided by law, the sheriff may  
47 sell or destroy a firearm if the owner of the firearm does not  
48 claim the firearm within six months of the date the sheriff  
49 obtained it.

50       (c) The sheriff may sell a firearm only to gun dealers  
51 who have a current federal firearm license on the date of the  
52 sale. The sheriff shall establish a procedure to notify gun  
53 dealers of a sale. A firearm shall be sold to the gun dealer  
54 submitting the highest sealed bid. All sales shall be on a  
55 cash basis. The proceeds of the sale, after deducting and  
56 paying all expenses incurred in the recovery, maintenance, and



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57 sale of the firearm, shall be paid to the Office of the  
58 Sheriff of Clay County.

59 (d) The sheriff may establish a procedure to destroy  
60 firearms and may expend necessary funds of the sheriff's  
61 office for that purpose.

62 Section 4. (a) (1) As often as necessary, the sheriff  
63 may sell at public auction or by Internet auction to the  
64 highest bidder all abandoned or stolen personal property,  
65 other than firearms, which has been recovered by the sheriff's  
66 office and has remained unclaimed by the rightful owner for at  
67 least a six-month period.

68 (2) The sheriff shall take reasonable efforts to locate  
69 the owner of abandoned or stolen personal property recovered  
70 by the sheriff's office, including notifying the sheriff's  
71 office of surrounding counties if the property is deemed to be  
72 a family heirloom or to be of substantial value.

73 (b) Prior to the sale, notice shall be given by  
74 publication in a newspaper of general circulation in Clay  
75 County once a week for two consecutive weeks or by posting  
76 notice in a conspicuous place at the Clay County Courthouse  
77 for a period of at least 20 days. The notice shall contain the  
78 place, date, and time of each auction and a general  
79 description of items of personal property to be sold at the  
80 auction. If publication of notice is made in the newspaper,  
81 the first notice shall run at least 20 days prior to the  
82 auction.

83 Section 5. The owner of any abandoned or stolen  
84 personal property recovered by the Clay County Sheriff's



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85 Office, including firearms, may claim the property at any time  
86 prior to its sale by submitting sufficient proof of ownership  
87 as determined by the sheriff and by paying any reasonable  
88 expenses incurred in the recovery of the property, its  
89 maintenance, storage, and a pro rata share of the costs, if  
90 any, of publication of notice of the sale of the property.

91 Section 6. If property is sold at public auction, as  
92 provided in this act, a notation in the storage record shall  
93 be made of the sale and of the amount received for the  
94 property. The person making the sale may reject any bid if the  
95 amount bid is unreasonably low and may continue the sale, from  
96 time to time, if no bidders are present.

97 Section 7. The proceeds from the sale of property at an  
98 auction conducted under the authority of this act, after  
99 deducting and paying all expenses incurred in the recovery,  
100 storage, maintenance, and sale of property, shall be collected  
101 by the sheriff and deposited in any bank located in Clay  
102 County into a fund designated as the Sheriff's Fund. The fund  
103 may be drawn upon by the sheriff and used exclusively for law  
104 enforcement purposes in the discharge of the duties of the  
105 sheriff's office at the discretion of the sheriff.

106 Section 8. This act shall become effective on October  
107 1, 2025.



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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB219  
Senate 19-Mar-25  
I hereby certify that the within Act originated in and passed  
the Senate.

Patrick Harris,  
Secretary.

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House of Representatives  
Passed: 08-Apr-25

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By: Senator Price