

HB203 ENROLLED



1 HB203
2 CXLL9JW-2
3 By Representative Rehm (N & P)
4 RFD: Local Legislation
5 First Read: 13-Jan-26



1 Enrolled, An Act,

2 Relating to Henry County; to provide for the sale, use,
3 and destruction of certain abandoned, stolen, and unclaimed
4 property by the Henry County Sheriff's Office and any task
5 force of the office; and to specify requirements for the sale
6 and disposition of proceeds.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. (a) The Henry County Sheriff's Office shall
9 keep and maintain a record of all abandoned and stolen
10 personal property recovered by the sheriff's office or any
11 task force of the sheriff's office. These records shall state
12 the description of the property, the date of recovery of the
13 property, and the serial or other identifying number of the
14 property. If the property is a firearm, the records shall
15 state the description of the firearm, the date of recovery of
16 the firearm, and the serial or other identifying number, if
17 any.

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

22 (c) All records required under this act shall be open
23 to public inspection at all reasonable times.

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

27 Section 2. (a) (1) As often as necessary, the Henry
28 County Sheriff may sell at public auction, including an



29 Internet auction, to the highest bidder all abandoned or
30 stolen personal property that has been recovered under this
31 act and that has remained unclaimed by the rightful owner for
32 a period of not less than six months.

33 (2) If the abandoned or stolen property is a firearm,
34 the person holding the auction must hold a federal firearm
35 license issued by the Bureau of Alcohol, Tobacco, Firearms and
36 Explosives (ATF), and all sales involving a firearm shall meet
37 the firearm transfer requirements of federal law.

38 (b) Prior to each auction, the sheriff shall give
39 notice by publication in a newspaper of general circulation in
40 Henry County once a week for two successive weeks or by
41 posting notice in a conspicuous place at the Henry County
42 Courthouse for a period of at least 20 days. The notice shall
43 contain the place, date, and time of each auction and a
44 general description of items of personal property to be sold
45 at the auction.

46 (c) Notwithstanding subsection (b), if the abandoned or
47 stolen personal property is of a perishable nature and
48 reasonable attempts to locate and identify the owner of the
49 property are not successful, the property may be sold at once
50 without notice.

51 (d) The sheriff shall attempt to obtain the best
52 possible price for the property. The sheriff may reject any
53 and all bids if the amount bid is unreasonably low and may
54 continue the sale, from time to time, at his or her
55 discretion.

56 Section 3. (a) Prior to the sale of abandoned or stolen



57 property under this act, the owner of the property may claim
58 the property at any time by submitting sufficient proof of
59 ownership as determined by the sheriff.

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

63 Section 4. (a) If abandoned or stolen property is sold
64 under this act, the proceeds of the sale shall be held in a
65 separate account for a period of six months for the owner.

66 (b) During the six-month period described in subsection
67 (a), upon demand by the owner and submission of sufficient
68 proof of ownership, the sheriff shall pay to the owner the
69 proceeds of the sale, less any cost of recovery, storage,
70 maintenance, and sale of the property.

71 (c) If the proceeds are not claimed within six months,
72 after deducting and paying all expenses incurred in the
73 recovery, storage, maintenance, and sale of the property, the
74 net proceeds shall be paid to the sheriff to be deposited into
75 the Sheriff's Fund. The funds in the account may be expended
76 at the discretion of the sheriff and shall be used solely for
77 law enforcement purposes. The receipts and expenditures of
78 funds shall be audited by the Department of Examiners of
79 Public Accounts.

80 Section 5. Notwithstanding any other provision of this
81 act to the contrary, any abandoned or stolen firearm that has
82 been obtained by the Henry County Sheriff's Office or a task
83 force of the office and that has been unclaimed for a period
84 of six or more months, as provided in this act, may be used by



HB203 Enrolled

85 the Henry County Sheriff's Office at its discretion for law
86 enforcement purposes or, if unlawful or not safe for use in
87 the discretion of the sheriff, destroyed.

88 Section 6. This act applies to any abandoned or stolen
89 property held on or after May 1, 2026.

90 Section 7. This act shall become effective May 1, 2026.

HB203 Enrolled



91
92
93
94
95
96
97
98
99

100
101

102 Speaker of the House of Representatives

103

104

105

106

107 President and Presiding Officer of the Senate

108

109

110 House of Representatives

111

112 I hereby certify that the within Act originated in and
113 was passed by the House 20-Jan-26.

114

115 John Treadwell
116 Clerk

117

118

119

120

121

122 Senate

22-Jan-26

123 Passed

124

125