

HB203 ENROLLED



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



HB203 Enrolled

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



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

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

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

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

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

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



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

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

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

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

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

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



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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.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

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

John Treadwell
Clerk

Senate

22-Jan-26

Passed