

## HB203 INTRODUCED



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



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4 A BILL  
5 TO BE ENTITLED  
6 AN ACT

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

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15                   Section 1. (a) The Henry County Sheriff's Office shall  
16                   keep and maintain a record of all abandoned and stolen  
17                   personal property recovered by the sheriff's office or any  
18                   task force of the sheriff's office. These records shall state  
19                   the description of the property, the date of recovery of the  
20                   property, and the serial or other identifying number of the  
21                   property. If the property is a firearm, the records shall  
22                   state the description of the firearm, the date of recovery of  
23                   the firearm, and the serial or other identifying number, if  
24                   any.

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



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

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

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

53 (c) Notwithstanding subsection (b), if the abandoned or  
54 stolen personal property is of a perishable nature and  
55 reasonable attempts to locate and identify the owner of the  
56 property are not successful, the property may be sold at once



57 without notice.

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

63                   Section 3. (a) Prior to the sale of abandoned or stolen  
64 property under this act, the owner of the property may claim  
65 the property at any time by submitting sufficient proof of  
66 ownership as determined by the sheriff.

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

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

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

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

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85 funds shall be audited by the Department of Examiners of  
86 Public Accounts.

87 Section 5. Notwithstanding any other provision of this  
88 act to the contrary, any abandoned or stolen firearm that has  
89 been obtained by the Henry County Sheriff's Office or a task  
90 force of the office and that has been unclaimed for a period  
91 of six or more months, as provided in this act, may be used by  
92 the Henry County Sheriff's Office at its discretion for law  
93 enforcement purposes or, if unlawful or not safe for use in  
94 the discretion of the sheriff, destroyed.

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

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