

# HB522 INTRODUCED



1 HB522  
2 YMPPZ26-1  
3 By Representative Easterbrook (N & P)  
4 RFD: Local Legislation  
5 First Read: 03-Apr-25



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A BILL  
TO BE ENTITLED  
AN ACT

Relating to Washington County; to authorize the Sheriff of Washington County to sell certain abandoned, stolen, confiscated, lost, and unclaimed property at public auction; to authorize the sheriff to sell or destroy certain abandoned, stolen, or unclaimed firearms; and to provide for the auction and for the disposition of proceeds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) The Sheriff of Washington County shall keep and maintain a permanent record of all abandoned and stolen personal property recovered by the sheriff's office.

(b) These records shall state the description of the property, the date of recovery of the property, the serial or other identifying number of the property, and the place of recovery of the property.

(c) If a firearm is sold at public auction under this act, a notation in the storage record book shall be made of the sale and of the amount received for the property.

(d) The records shall be open to public inspection at all reasonable times.

(e) All abandoned or stolen property recovered by the



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29 sheriff's office shall be stored in a suitable place to  
30 protect the property from deterioration.

31 Section 2. The owner of any abandoned or stolen  
32 personal property recovered by the Washington County Sheriff's  
33 Office, including firearms, may claim the property at any time  
34 prior to its sale by submitting sufficient proof of ownership  
35 as determined by the sheriff and by paying any reasonable  
36 expenses incurred in the recovery of the property, its  
37 maintenance, storage, and a pro rata share of the costs, if  
38 any, of publication of notice of the sale of the property.

39 Section 3. (a) The sheriff may sell at public auction  
40 or an Internet auction provider to the highest bidder for cash  
41 all abandoned or stolen personal property, other than  
42 firearms, which has been recovered by the sheriff and has  
43 remained unclaimed by the rightful owner during the preceding  
44 six month period.

45 (b) Prior to the sale, notice shall be given by  
46 publication in a newspaper of general circulation in  
47 Washington County once a week for two successive weeks or by  
48 posting notice in a conspicuous place at the Washington County  
49 Courthouse for a period of no less than 20 days. The notice  
50 shall contain the place, date, and time of each auction and a  
51 description of each item of personal property to be sold at  
52 the auction. If publication of notice is made in the  
53 newspaper, the first notice shall run not less than 20 days  
54 prior to the auction.

55 Section 4. (a) Notwithstanding Section 3, if the  
56 abandoned or stolen personal property is of a perishable



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57 nature and reasonable attempts to locate and identify the  
58 owner of the property are not successful, the property may be  
59 sold at once without notice. The sheriff shall attempt to  
60 obtain the best possible price for the property.

61 (b) The proceeds of a sale under this section shall be  
62 held in a separate account for a period of six months for the  
63 owner. During this period, the proceeds will be paid to the  
64 owner upon demand, less any cost of recovery, storage,  
65 maintenance, and sale.

66 (c) If the proceeds are not claimed within six months,  
67 after deducting and paying all expenses incurred in the  
68 recovery, storage, maintenance, and sale of the property, the  
69 net funds shall be paid to the Office of the Sheriff of  
70 Washington County.

71 Section 5. (a) The sheriff shall keep and maintain a  
72 separate permanent record of all abandoned or stolen firearms  
73 that are not otherwise subject to disposition by general law.

74 (b) The records shall state the description of the  
75 firearm, the date of recovery of the firearm, the serial or  
76 other identifying number, if any, of the firearm, and the  
77 place where the firearm was recovered. If the firearm is sold  
78 at public auction under this section, a notation in the  
79 storage record book shall be made of the sale and of the  
80 amount received for the property.

81 (c) The sheriff may sell the firearms at public auction  
82 to a gun dealer submitting the highest sealed bid. Each  
83 bidding gun dealer must have a current federal firearms  
84 license on the date of sale. All sales shall be on a cash



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85 basis. The proceeds of the sale, after deducting and paying  
86 all expenses incurred in the recovery, maintenance, and sale  
87 of the firearms, shall be paid to the Office of the Sheriff of  
88 Washington County.

89 (d) The sheriff may reject any bid if the bid amount is  
90 unreasonably low and may continue the sale, from time to time,  
91 if no bidders are present.

92 (e) Unless otherwise provided by law, the sheriff may  
93 sell or destroy abandoned or stolen firearms possessed by the  
94 sheriff if the owner of the firearm does not claim the firearm  
95 within six months of the date the sheriff obtained it. The  
96 sheriff may establish a procedure to destroy firearms and may  
97 expend necessary sheriff's office funds for that purpose.

98 Section 6. The proceeds from the sale of property at an  
99 auction conducted under the authority of this act, after  
100 deducting and paying all expenses incurred in the recovery,  
101 storage, maintenance, and sale of property, shall be collected  
102 by the sheriff and deposited into any bank located in  
103 Washington County to a fund designated as the Sheriff's Fund.  
104 The fund shall be drawn upon by the sheriff and used  
105 exclusively for purposes of law enforcement in the discharge  
106 of the sheriff's office as the sheriff sees fit.

107 Section 7. This act shall become effective on October  
108 1, 2025.