STOLEN OR ABANDONED PROPERTY
Act 214 of 1979

AN ACT to provide for the disposition and sale of certain stolen or abandoned property recovered or discovered within a county, city, village, or township; and to provide for the disposition of the proceeds of sale and certain other property.

History: 1979, Act 214, Imd. Eff. Jan. 15, 1980;—Am. 1984, Act 258, Imd. Eff. Nov. 30, 1984;—Am. 2006, Act 556, Imd. Eff. Dec. 29, 2006;—Am. 2018, Act 546, Eff. Mar. 28, 2019.

The People of the State of Michigan enact:

434.181 Recovery of stolen property or discovery of abandoned personal property; report; request for authority to dispose of property; donation of stolen or abandoned bicycle to charitable organization; donation of reusable property to eligible recipient.

Sec. 1. (1) Except as otherwise provided by law and in this section, a law enforcement agency that recovers stolen property or discovers abandoned personal property within the county, city, village, or township that is unclaimed for 6 months after recovery or discovery shall report the recovery or discovery of that property, including money, to the county board of commissioners, city or village council, or township board of trustees and shall request authority to dispose of the property as provided in this act. The law enforcement agency of a city, village, or township may request to give the property to the sheriff of the county to dispose of as provided in this act.

(2) If the property is an abandoned or stolen bicycle, the law enforcement agency may request authority from the county board of commissioners, city or village council, or township board of trustees to donate the bicycle to a state licensed charitable organization.

(3) If the stolen property or abandoned personal property is not a weapon and is reusable property, the law enforcement agency may request authority from the county board of commissioners, city or village council, or township board of trustees to donate the property as provided in section 2, to an eligible recipient that, at the time of the donation, expects to use the property.

History: 1979, Act 214, Imd. Eff. Jan. 15, 1980;—Am. 2006, Act 556, Imd. Eff. Dec. 29, 2006;—Am. 2018, Act 546, Eff. Mar. 28, 2019.

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434.181a Definitions.

Sec. 1a. As used in this act:

(a) "Eligible recipient" means a city, village, county, township, school district, intermediate school district, university, community college, private nonprofit organization, public school academy, or governmental authority, or an agency or department of a city, village, county, township, school district, intermediate school district, or a private nonprofit organization.

(b) "Law enforcement agency" means the sheriff of a county, or the law enforcement agency of a city, village, or township.

(c) "Private nonprofit organization" means a private organization exempt from taxation under section 501(c)(3) of the internal revenue code, 26 USC 501(c)(3).

History: Add. 2018, Act 546, Eff. Mar. 28, 2019.

434.182 Action by county board or commissioners, city or village council, or township board of trustees; delivery of property to sheriff; conducting sale of property; notice of sale or donation; appraisal of money; claim by owner; cancellation of sale or donation.

Sec. 2. (1) The county board of commissioners, city or village council, or township board of trustees shall act upon the request of the law enforcement agency under section 1 not less than 60 days or more than 6 months after the receipt of the request.

(2) If the city or village council or township board of trustees authorizes the law enforcement agency of the city, village, or township to give the property to the sheriff of the county, the agency shall deliver the property to the sheriff within 10 days.

(3) If the county board of commissioners, city or village council, or township board of trustees authorizes the law enforcement agency to dispose of the property through sale under this act, the law enforcement agency shall conduct a sale of the property as provided in subsection (4).

(4) If the law enforcement agency is authorized to dispose of the property by sale, the law enforcement agency shall publish a notice in a newspaper of general circulation in the county not less than 5 days before the proposed sale of the property. The notice must describe the property, including money, and state the time

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and place of the public sale at which the property may be purchased by the highest bidder. The law enforcement agency may obtain an appraisal to determine whether money, because of age, origin, metal content, or value as a collector's item, has a value other than its face value. Money that does not have a value other than its face value must not be subject to the public sale provisions contained in this section. Until the date of the sale, the property may be claimed at the office of the law enforcement agency. If ownership of the property is proved, the property must be turned over to the owner and the sale of that property must be canceled.

(5) If the county board of commissioners, city or village council, or township board of trustees authorizes the law enforcement agency to dispose of the property through donation, following a request under section 1(3), the law enforcement agency shall donate the property as provided in subsection (6).

(6) If the law enforcement agency is authorized to dispose of the property by donation, the law enforcement agency shall publish a notice in a newspaper of general circulation in the county not less than 5 days before the proposed donation of the property. The notice must describe the property and provide the address of the office of the law enforcement agency and the date the property will be donated. Before the date provided in the notice, the property may be claimed at the office of the law enforcement agency. If ownership of the property is proved, the property must be turned over to the owner and the donation of that property must be canceled.

History: 1979, Act 214, Imd. Eff. Jan. 15, 1980;—Am. 1984, Act 258, Imd. Eff. Nov. 30, 1984;—Am. 2018, Act 546, Eff. Mar. 28, 2019.

434.183 Sale of unclaimed property; disposition of proceeds.

Sec. 3. The law enforcement agency shall conduct a sale of the unclaimed property and shall deposit the proceeds of the sale, and money not subject to public sale, after deducting the cost of the sale, including reasonable appraisal fees, with the county, city, village, or township treasurer to the credit of the county, city, village, or township general fund.

History: 1979, Act 214, Imd. Eff. Jan. 15, 1980;—Am. 1984, Act 258, Imd. Eff. Nov. 30, 1984;—Am. 2018, Act 546, Eff. Mar. 28, 2019.

434.184 Filing claim for property after sale; proof; payment to owner; time limitation; liability of law enforcement agency.

Sec. 4. (1) If, within 6 months after the sale under section 2(4), the owner of the property files with the county board of commissioners, city or village council, or township board of trustees a claim for the property and proves a right to the property, the county board of commissioners, city or village council, or township board of trustees shall direct the treasurer who received the proceeds of the sale of that property to pay the owner the amount of proceeds or the face value of money not subject to the public sale provision contained in this act. The county board of commissioners, city or village council, or township board of trustees shall not approve any claims filed more than 6 months after the sale.

(2) A law enforcement agency disposing of property as provided in this act is not liable to the owner of that property.

History: 1979, Act 214, Imd. Eff. Jan. 15, 1980;—Am. 1984, Act 258, Imd. Eff. Nov. 30, 1984;—Am. 2018, Act 546, Eff. Mar. 28, 2019.

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