

CS FOR HOUSE BILL NO. 318(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 3/1/00

Referred: Finance

Sponsor(s): REPRESENTATIVES BUNDE, Dyson, Croft, Green

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to property disposal by law enforcement agencies."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. AS 12.36.040(a) is amended to read:

4 (a) When the owner of property is unknown and the property comes into the
5 possession of a law enforcement agency as suspected evidence of a crime but is not
6 used in a criminal proceeding or a children's court proceeding, or when the property
7 comes into the possession of a law enforcement agency by other means, the property
8 shall be held for one year [TWO YEARS]. If the property is not claimed within one
9 year [TWO YEARS] of the date it comes into the possession of a law enforcement
10 agency, the property shall be disposed of as provided in AS 12.36.030(b).

11 * Sec. 2. AS 12.36 is amended by adding a new section to read:

12 Sec. 12.36.045. When finder of property is considered the owner. (a)
13 When a private individual obtains property of another that is lost, mislaid, or delivered
14 to the individual by mistake, the individual delivers that property to a law enforcement
15 agency, and the true owner of the property remains unknown for a period of one year

1 or does not claim the property within one year, the individual delivering the property
2 shall be considered the owner of the property under this chapter if possession of the
3 property by the individual is otherwise legal. If, after the one-year period, the private
4 individual who delivered the property to the law enforcement agency cannot be found
5 or does not want the property, the property shall be disposed of by the agency as if the
6 owner is unknown.

7 (b) This section does not apply to property that comes into the custody of a
8 law enforcement agency of a municipality that has adopted an ordinance providing for
9 the custody and disposition of property that meets the requirements specified in
10 AS 12.36.030(c).