

HOUSE BILL NO. 295

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES PORTER, Toohey

Introduced: 4/5/95

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the custody and disposition of property in the custody of
2 municipal law enforcement agencies."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 12.36.010 is amended to read:

5 Sec. 12.36.010. PROPERTY DISPOSITION. **Except as provided in (b) of**
6 **this section, when** [WHEN] property not belonging to a law enforcement agency
7 comes into the custody of the agency, the property shall be disposed of in accordance
8 with this chapter.

9 * **Sec. 2.** AS 12.36.010 is amended by adding a new subsection to read:

10 (b) This chapter does not apply to property that comes into the custody of a
11 law enforcement agency of a municipality if the municipality has adopted an ordinance
12 providing for the custody and disposition of the property.

13 * **Sec. 3.** AS 34.45.230 is amended to read:

14 Sec. 34.45.230. PROPERTY HELD BY COURTS AND PUBLIC AGENCIES.

1 **Except as provided by AS 34.45.720(d), intangible** [INTANGIBLE] property held
2 for the owner by a court, state, municipality or other government, governmental
3 subdivision, or agency, public corporation, or public authority, that remains unclaimed
4 by the owner for more than one year after becoming payable or distributable, is
5 presumed abandoned.

6 * **Sec. 4.** AS 34.45.720 is amended by adding a new subsection to read:

7 (d) Checks, drafts, currency, and tangible property that are found and turned
8 over to, or found and recovered by, a law enforcement agency of a municipality are
9 not subject to AS 34.45.110 - 34.45.780 if the municipality has adopted an ordinance
10 providing for the custody and disposition of the property.