

HOUSE BILL REPORT

HB 1166

As Reported By House Committee On:

Government Administration

Title: An act relating to property.

Brief Description: Limiting the amount collected by a government for handling found property.

Sponsors: Representatives Romero, D. Schmidt, Scott, Wolfe, Dunn and Mason.

Brief History:

Committee Activity:

Government Administration: 1/29/97, 1/31/97 [DPS].

HOUSE COMMITTEE ON GOVERNMENT ADMINISTRATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives D. Schmidt, Chairman; D. Sommers, Vice Chairman; Scott, Ranking Minority Member; Gardner, Assistant Ranking Minority Member; Doumit; Dunn; Dunshee; Reams; Smith; L. Thomas; Wensman and Wolfe.

Staff: Bronwyn Mauldin (786-7093).

Background: Various laws establish procedures for handling lost or unclaimed property in different situations. Property found by private citizens is handled differently from that found by law enforcement officers such as city police, state patrol, or county sheriffs. Other procedures govern the handling of unclaimed property held by museums or historical societies. Unclaimed intangible property held by a person who is not the owner, is also handled differently.

Any person who, as a private citizen, finds property whose owner is unknown and who wishes to claim the property, must first report the find to the chief law enforcement officer of the governmental entity that has jurisdiction over where the property was found. The finder must have the property appraised, and publish notice of the find at least twice. The chief law enforcement officer may require the finder to surrender the property while these steps are being undertaken. Once the requirements have been met and at least 60 days have passed, the found property may be released to the finder. If the property is valued at more than \$25, the finder must also pay a

fee to the treasurer of the governmental entity handling the found property. That fee is either \$5, or 10 percent of the appraised value of the property, whichever is greater.

Summary of Substitute Bill: If the found property is cash, then the finder is not required to have its value appraised. The responsibility for publishing notice of the found property is moved to the governmental entity that has jurisdiction over the location where the property was found. The finder must reimburse the governmental entity for the cost of publication. The handling fee paid by a private citizen to claim found property is changed to a flat fee of \$10. If the value of the property is less than the cost of publication, then the governmental entity does not have to publish notice, and the finder does not have to pay the handling fee.

Substitute Bill Compared to Original Bill: The original bill only changed the handling fee to a flat \$5 for any property valued at more than \$25.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Going through the required steps felt like being punished for doing a good deed. The current law discourages honesty. A governmental entity should not gain money that they did nothing to earn. Five dollars is fair for the government to receive.

Testimony Against: None.

Testified: Rep. Romero, prime sponsor; and Lorri Trimble, citizen.