

SENATE BILL REPORT

SB 5193

As Reported By Senate Committee On:
Judiciary, January 23, 2007

Title: An act relating to donation of unclaimed personal property to nonprofit charitable organizations.

Brief Description: Authorizing donation of unclaimed personal property to nonprofit charitable organizations.

Sponsors: Senators Brandland, Hewitt, Parlette, Morton, Schoesler, Swecker, Clements, Stevens, McCaslin, Carrell, Keiser, Berkey and Kohl-Welles.

Brief History:

Committee Activity: Judiciary: 1/23/07 [DPS].

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 5193 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kline, Chair; Tom, Vice Chair; McCaslin, Ranking Minority Member; Carrell, Roach and Weinstein.

Staff: Dawn Noel (786-7472)

Background: Current law outlines authorized methods of disposing of unclaimed personal property that comes into possession of city police, county sheriffs, and state patrol officers in the official course of duty. For instance, the law authorizes the relevant governing entity (i.e., city, county, or state patrol) to sell the personal property at public auction, and to forward the proceeds toward certain accounts. In addition to other authorized methods of disposition, city police and county sheriffs may donate unclaimed bicycles, tricycles, and toys to non-profit charitable organizations for use by needy persons. No such provision exists for state patrol officers. "Personal property" is any tangible or intangible item that is subject to ownership and not classified as real estate.

Summary of Bill: State Patrol officers, county sheriffs, and city police are authorized to donate unclaimed personal property generally to non-profit charitable organizations. It is clarified that a non-profit charitable organization receiving such personal property must use the property or its proceeds to benefit needy persons.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

EFFECT OF CHANGES MADE BY RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Judiciary): Non-profit organizations authorized to receive unclaimed personal property from law enforcement must be 501(c)(3) organizations.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This bill would give law enforcement personnel greater ability to do their jobs more efficiently and to help those in need. Officers take in a large variety of items, including items found but unclaimed. Under current law, city and county officers may only donate bicycles, tricycles, and toys. Such a law does not even exist for the Washington State Patrol. Over time, agencies accrue auction costs and disposal costs. A lot of things just get thrown away. This bill would allow each agency more discretion as to what to donate.

Persons Testifying: PRO: Senator Brandland, prime sponsor; Susan Holaday, Tukwila Police Department.