

SENATE BILL REPORT

HB 2374

As of February 20, 2018

Title: An act relating to donation of unclaimed property by law enforcement agencies.

Brief Description: Concerning donation of unclaimed property by law enforcement agencies.

Sponsors: Representatives Hayes, Goodman, Eslick and Haler.

Brief History: Passed House: 2/08/18, 98-0.

Committee Activity: Law & Justice: 2/16/18.

Brief Summary of Bill

- Permits law enforcement agencies to donate unclaimed personal property to historical societies and museums.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Tim Ford (786-7423)

Background: Unclaimed Personal Property. Law enforcement agencies with statutory authority to dispose of unclaimed personal property include:

- police authorities of a city or town;
- the state patrol; and
- the county sheriff.

Generally, personal property that remains unclaimed after 60 days from the date of notice to the owner, if known, may be disposed of by law enforcement agencies. Exceptions to this rule are for property held as evidence in a court case.

The common methods for law enforcement agencies to dispose of personal property include sale, retention, destruction, or trade. In addition to those methods, a law enforcement agency may donate unclaimed personal property to nonprofit charitable organizations. The nonprofit charitable organization must use the unclaimed personal property, or its proceeds, to benefit needy persons. Nonprofit charitable organizations must qualify for tax exempt status under federal law.

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.

A law enforcement agency does not have statutory authority to donate unclaimed personal property to a historical society or museum. A historical society or museum is defined in statute and means an institution operated by a nonprofit corporation, nonprofit association, or public agency, primarily educational, scientific, historic, or aesthetic in purpose, which owns, borrows, studies, or cares for tangible objects, including archives, and exhibits them as appropriate.

Summary of Bill: Law enforcement agencies may also donate unclaimed personal property to historical societies and museums.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: We infrequently get historical documents—photos, journals, and diaries—that we are unable to find the rightful owners. We would like the ability to maintain the cultural heritage of those documents and donate them to museums or historical societies in Washington. Instead of destroying them it would be more appropriate to donate these historical documents.

Persons Testifying: PRO: Karen Adams, Snohomish County Sheriff's Office Evidence.

Persons Signed In To Testify But Not Testifying: No one.