



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1881

by Rep. Donald L. Moffitt

SYNOPSIS AS INTRODUCED:

765 ILCS 1030/3

from Ch. 141, par. 143

Amends the Law Enforcement Disposition of Property Act. Provides that if there is property in the custody of a law enforcement agency whose ownership has been unascertained for at least 6 months, a sheriff, police chief, or principal law enforcement official, who determines that the public interest would be served, may donate the property to a non-profit charity or transfer the property to the local government of which the official is a part or to the State (instead of transfer the property to the local government of which the official is a part or to the State). Effective immediately.

LRB097 07044 AJO 47137 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Law Enforcement Disposition of Property Act
5 is amended by changing Section 3 as follows:

6 (765 ILCS 1030/3) (from Ch. 141, par. 143)

7 Sec. 3. If the identity or location of the owner or other
8 person entitled to possession of the property has not been
9 ascertained within 6 months after the police department or
10 other law enforcement agency obtains such possession, the
11 sheriff, chief of police or other principal official thereof
12 shall effectuate the sale of the property for cash to the
13 highest bidder at a public auction, notice of which (including
14 time, place and a brief description of such property) shall be
15 published at least once in a newspaper of general circulation
16 in the county wherein such official has authority at least 10
17 days prior to such auction. However, if the sheriff, chief of
18 police, or other principal law enforcement official determines
19 that the interests of the public would best be served thereby,
20 he or she may donate the property to a non-profit charitable
21 organization, transfer custody of the property to the
22 government of which his or her law enforcement agency is a
23 branch, or if the property is in the custody of a State law

1 enforcement agency, it may be transferred to the Department of
2 Central Management Services, rather than effectuating the sale
3 of the property by public auction. Property offered but not
4 sold at such public auction may be offered and sold at a
5 subsequent public auction without such notice.

6 (Source: P.A. 84-505.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.