

By: Senator(s) Dickerson

To: County Affairs; Fees,
Salaries and Administration

SENATE BILL NO. 2184
(As Sent to Governor)

1 AN ACT TO PROVIDE FOR THE DISPOSITION OF LOST, STOLEN,
2 ABANDONED OR MISPLACED PERSONAL PROPERTY BY COUNTY BOARDS OF
3 SUPERVISORS; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** The board of supervisors of any county, upon the
6 receipt of recovery of any lost, stolen, abandoned or misplaced
7 personal property by the sheriff or other law enforcement officers
8 of the county, shall cause to be posted, in three (3) public
9 places in the county, notice that such property has been received
10 or recovered. Such notice shall contain an accurate and detailed
11 description of such property and, if the board of supervisors is
12 advised as to who owns the property, a copy of the notice shall be
13 mailed to such person or persons in addition to being posted as
14 required in this section. The owner may recover the property by
15 filing a claim with the board of supervisors and establishing his
16 right to the property. The board may require bond of the person
17 claiming the property before delivering it to him. Parties having
18 adverse claims to the property may proceed according to law.

19 If no person claims the property within one hundred twenty
20 (120) days from the date the notice is given, the board of
21 supervisors shall cause the property to be sold at public auction
22 to the highest bidder for cash after first posting notice of the
23 sale in three (3) public places in the county at least ten (10)
24 days before the date of the sale. The notice shall contain a
25 detailed and accurate description of the property to be sold and
26 shall be addressed to the unknown owners or other persons
27 interested in the property to be sold. The notice shall also set



28 forth the date, time and place the sale is to be conducted and
29 shall designate the sheriff to make the sale.

30 However, lost, stolen, abandoned or misplaced motor vehicles
31 and bicycles may be sold in the manner provided in the preceding
32 paragraph after the expiration of ninety (90) days from their
33 receipt or recovery by law enforcement officers of the county.

34 The sheriff, promptly upon completion of the sale, shall
35 deliver to the chancery clerk a copy of the notice authorizing the
36 sale, a list of the property sold, the amount paid for each item,
37 the person to whom each item was sold, and all monies received
38 from such sale. The clerk then shall deposit the monies into the
39 county treasury and the proceeds of the sale shall be first
40 applied to the necessary costs and expenses of the sale, with the
41 remainder to be credited to the special supplemental budget of the
42 sheriff to be expended by the sheriff for any law enforcement
43 purpose upon approval of the board of supervisors. The chancery
44 clerk shall file the information concerning the sale among the
45 other records of his office. If, within ninety (90) days after
46 the date of the sale, any person claims to be the owner of the
47 property sold, the board, upon satisfactory proof of ownership,
48 shall pay to such person the amount for which the property was
49 sold, and the board may require of such person a bond in such
50 cases as the board deems advisable. No action shall be maintained
51 against the county or any of its officers or employees or the
52 purchaser at the sale for any property sold or the proceeds
53 therefrom after the expiration of ninety (90) days from the date
54 of the sales as authorized in this section.

55 **SECTION 2.** This act shall take effect and be in force from
56 and after July 1, 2002.

