

STOLEN OR ABANDONED PROPERTY
Act 214 of 1979

AN ACT to provide for the disposition and sale of certain stolen or abandoned property recovered or discovered within a city, village, or township; and to provide for the disposition of the proceeds of sale and certain other property.

History: 1979, Act 214, Imd. Eff. Jan. 15, 1980;—Am. 1984, Act 258, Imd. Eff. Nov. 30, 1984;—Am. 2006, Act 556, Imd. Eff. Dec. 29, 2006.

The People of the State of Michigan enact:

434.181 Recovery of stolen property or discovery of abandoned personal property; report; request for authority to dispose of property; donation of stolen or abandoned bicycle to charitable organization.

Sec. 1. Except as otherwise provided in this section, a law enforcement agency of a city, village, or township that recovers stolen property or discovers abandoned personal property within the city, village, or township, which is unclaimed for 6 months after recovery or discovery, shall report the recovery or discovery of that property, including money, to the city or village council or township board of trustees and shall request authority to dispose of the property as provided in this act or to give the property to the sheriff of the county to dispose of as provided in 1959 PA 54, MCL 434.171 to 434.174. If the property is an abandoned or stolen bicycle, the law enforcement agency may request authority from its governing body to donate the bicycle to a state licensed charitable organization.

History: 1979, Act 214, Imd. Eff. Jan. 15, 1980;—Am. 2006, Act 556, Imd. Eff. Dec. 29, 2006.

434.182 Action by village council or township board of trustees; delivery of property to sheriff; conducting sale of property; notice of sale; appraisal of money; claim by owner; cancellation of sale.

Sec. 2. (1) The village council or township board of trustees shall act upon the request of the law enforcement officer within not less than 60 days after the receipt of the request and not more than 6 months after the receipt of the request.

(2) If the village council or township board of trustees authorizes the law enforcement officer to give the property to the sheriff of the county, the law enforcement officer shall deliver the property to the sheriff within 10 days.

(3) If the village council or township board of trustees authorizes the law enforcement officer to dispose of the property pursuant to this act, the law enforcement officer shall conduct a sale of the property in the manner provided in subsection (4).

(4) The law enforcement officer shall publish a notice in a newspaper of general circulation in the county not less than 5 days before the proposed sale of the property. The notice shall describe the property, including money, and shall state the time and place of the public sale at which the property may be purchased by the highest bidder. The law enforcement officer may obtain an appraisal to determine whether money, because of age, origin, metal content, or value as a collector's item, has a value other than its face value. Money which does not have a value other than its face value shall not be subject to the public sale provisions contained in this section. Until the date of the sale, the property may be claimed at the office of the law enforcement officer. If ownership of the property is proved, the property shall be turned over to the owner and the sale shall be canceled insofar as the claimed property is concerned.

History: 1979, Act 214, Imd. Eff. Jan. 15, 1980;—Am. 1984, Act 258, Imd. Eff. Nov. 30, 1984.

434.183 Sale of unclaimed property; disposition of proceeds.

Sec. 3. The law enforcement officer shall conduct the sale of the unclaimed property and shall deposit the proceeds of the sale, and money not subject to public sale, after deducting the cost of the sale, including reasonable appraisal fees, with the village or township treasurer to the credit of the village or township general fund.

History: 1979, Act 214, Imd. Eff. Jan. 15, 1980;—Am. 1984, Act 258, Imd. Eff. Nov. 30, 1984.

434.184 Filing claim for property after sale; proof; payment to owner; time limitation; liability of law enforcement officer.

Sec. 4. (1) If, within 6 months after the sale, the owner of the property files with the village council or township board of trustees a claim for the property and proves a right to the property, the village council or

township board of trustees shall direct the treasurer who received the proceeds of the sale of that property to pay the owner the amount of proceeds or the face value of money not subject to the public sale provision contained in this act. The village council or township board of trustees shall not approve any claims filed more than 6 months after the sale.

(2) A law enforcement officer disposing of property as provided in this act shall not be liable to the owner of that property.

History: 1979, Act 214, Imd. Eff. Jan. 15, 1980;—Am. 1984, Act 258, Imd. Eff. Nov. 30, 1984.

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