ASSEMBLY BILL 347 (LRB -2741)

An Act to amend 59.66 (3) of the statutes; relating to: the Internet sale of unclaimed personal property by a sheriff. (FE)

2009

07-24.	A.	Introduced by Representatives **Lothian**, **Nass**, **Suder**, **Murtha**, **Brooks**, **Spanbauer**, **Vos**, **Townsend**, **LeMahieu**, **Petrowski** and **Ballweg**; cosponsored by Senators **Kedzie**, **Lehman**, **Taylor** and **A. Lasee**.	
07-24.	A.	Read first time and referred to committee on Urban and Local Affairs	340
09-08.	A.	Public hearing held.	
11-10.	A.	Fiscal estimate received.	
11-16.	A.	Fiscal estimate received.	
11-17.	A.	Executive action taken.	
11-24.	A.	Report passage recommended by committee on Urban and Local Affairs, Ayes 8, Noes 0	530
11-24.	A.	Referred to committee on Rules	530

2010

01-26.	A.	Placed on calendar 1-28-2010 by committee on Rules.	
01-28.	A.	Read a second time	615
01-28.	A.	Ordered to a third reading	615
01-28.	A.	Rules suspended	615
01-28.	A.	Read a third time and **passed**	615
01-28.	A.	Ordered immediately messaged	615
01-29.	S.	Received from Assembly	530
02-02.	S.	Read first time and referred to committee on Rural Issues, Biofuels, and Information Technology	536
03-03.	S.	Public hearing held.	
03-24.	S.	Executive action taken.	
03-25.	S.	Report concurrence recommended by committee on Rural Issues, Biofuels, and Information Technology, Ayes 5, Noes 0	656
03-25.	S.	Available for scheduling.	
04-19.	S.	Placed on calendar 4-20-2010 pursuant to Senate Rule 18(1).	
04-20.	S.	Read a second time.	
04-20.	S.	Ordered to a third reading.	
04-20.	S.	Rules suspended.	
04-20.	S.	Read a third time and **concurred in**.	
04-20.	S.	Ordered immediately messaged.	
04-20.	A.	Received from Senate concurred in.	

CMD

2009
ENROLLED BILL

09en A B- 347

ADOPTED DOCUMENTS:

☑ Orig ☐ Engr ___ SubAmdt ___ 09 - 2741/1

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

5-4-10
Date

Enrolling Drafter

State of Wisconsin
2009 – 2010 LEGISLATURE

LRB–2741/1
EVM:bjk:rs

2009 ASSEMBLY BILL 347

July 24, 2009 – Introduced by Representatives LOTHIAN, NASS, SUDER, MURTHA, BROOKS, SPANBAUER, VOS, TOWNSEND, LEMAHIEU, PETROWSKI and BALLWEG, cosponsored by Senators KEDZIE, LEHMAN, TAYLOR and A. LASEE. Referred to Committee on Urban and Local Affairs.

1 AN ACT *to amend* 59.66 (3) of the statutes; **relating to:** the Internet sale of
2 unclaimed personal property by a sheriff.

Analysis by the Legislative Reference Bureau

Under current law, the personal property of an individual who dies while he or she is a patient at a county institution or whose body has been taken charge of by the coroner or medical examiner is, if unclaimed for one year, delivered to the county sheriff and subject to sale. Any personal property left at the county jail by a prisoner after the discharge, transfer, or other commitment of the prisoner, and unclaimed for more than one year, or any property, found or stolen, which comes into the sheriff's possession and remains unclaimed for more than one year, is also subject to sale by the sheriff. Each year on or before August 1, the sheriff must post a notice at three public places in the county describing the place and time of a public auction at which the unclaimed personal property held by the sheriff will be sold. The auction must be held as described in the notice. Any remaining personal property may be sold for the best price obtainable or, if it cannot be sold, destroyed in the presence of the sheriff. Any proceeds of the sale of personal property is remitted to the county treasurer for inclusion in the general fund of the county.

Under this bill, the sheriff may choose to sell the personal property at a public auction at either a specified physical location or an Internet site.

For further information see the ***local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 59.66 (3) of the statutes is amended to read:

2 59.66 **(3)** DISPOSITION OF UNCLAIMED PERSONAL PROPERTY OTHER THAN MONEY OR
3 SECURITIES HELD BY COUNTY INSTITUTIONS, CORONERS, MEDICAL EXAMINERS, OR SHERIFFS.
4 All personal property other than money or securities of a deceased person who at the
5 time of his or her death is a patient at any county institution or whose body is taken
6 in charge by the coroner or medical examiner shall be preserved by the
7 superintendent of the institution, the coroner, or the medical examiner for one year
8 unless the property is claimed sooner by a person having the legal right to the
9 property. Annually on July 1 the superintendent, coroner, or medical examiner shall
10 make a verified written report listing all personal property which has remained in
11 that person's custody for one year without being claimed and giving all facts as to
12 ownership of the property as that person's records contain. The superintendent,
13 coroner, or medical examiner shall file the report with the sheriff of the county and
14 deliver the property to the sheriff, who shall issue a receipt for the property.
15 Thereupon the superintendent, coroner, or medical examiner shall be discharged
16 from further liability for the property, title to which shall then vest in the county. Any
17 property which is left at the county jail for a period of one year after the prisoner has
18 been discharged, transferred, or committed and any property, found or stolen, which
19 comes into the hands of the sheriff and in any case remains unclaimed for a period
20 of one year, shall be sold as prescribed in this subsection. The sheriff shall, on or
21 before August 1 annually, post a notice in 3 public places in the county, briefly

1 describing the property and stating that the sheriff will sell the property at public
2 auction on a certain date and at a ~~named place~~ specified physical location or Internet
3 site, which auction shall be held accordingly. Any of the property which is not
4 disposed of at the auction shall be sold for the best price obtainable, and if the
5 property cannot be disposed of by sale, shall be destroyed in the presence of the
6 sheriff. The sheriff shall, on or before September 1 annually, remit the proceeds of
7 the auction or general sale to the treasurer and shall file a verified report of the
8 sheriff's action in connection therewith. The proceeds shall become a part of the
9 general fund of the county.
10 **(END)**