

SB 589

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1996



ENROLLED

SENATE BILL NO. 589

(By Senator WOOTEN, ET AL)



PASSED MARCH 7, 1996

In Effect NINETY DAYS FROM Passage

ENROLLED

Senate Bill No. 589

(BY SENATORS WOOTON, ANDERSON, BUCKALEW, DEEM,
DITTMAR, GRUBB, OLIVERIO, ROSS, SCOTT AND YODER)

[Passed March 7, 1996; in effect ninety days from passage.]

AN ACT to amend article eight, chapter thirty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section eight-c, relating to law-enforcement disposition of unclaimed personal property consisting of children's toys and certain sporting goods.

Be it enacted by the Legislature of West Virginia:

That article eight, chapter thirty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section eight-c, to read as follows:

ARTICLE 8. UNIFORM DISPOSITION OF UNCLAIMED PROPERTY ACT.

§36-8-8c. Disposition of unclaimed stolen toys and certain sporting goods.

- 1 Notwithstanding any provision of this code to the
- 2 contrary, whenever a state, county or local law-enforce-
- 3 ment agency has in its possession unclaimed stolen

4 property consisting of children's toys or certain sporting
5 goods, that agency may donate the property to any
6 nonprofit organization or agency which provides services
7 to children if the chief law-enforcement officer of the
8 agency determines that the property has no evidentiary
9 value, and also determines that there is no reasonable
10 likelihood that the property can be returned to its
11 rightful owner. The sporting goods which may be
12 donated include, but are not limited to, such items as
13 bicycles, tricycles, fishing equipment and equipment
14 related to the games of football, baseball, basketball,
15 hockey, track and field and soccer. It shall not include
16 such items as hunting rifles or other hunting equipment,
17 knives and motorboats. The chief law-enforcement
18 officer of the agency which possesses the unclaimed
19 stolen property shall use his or her discretion in deter-
20 mining whether certain property would be appropriate
21 to give to children.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Randy Schoover
.....
Chairman Senate Committee

Rudy Seavert
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Carroll Phelps
.....
Clerk of the Senate

Gregory D. King
.....
Clerk of the House of Delegates

Earl Ray Tomblin
.....
President of the Senate

Chad Belton
.....
Speaker House of Delegates

The within *is approved* this the *21st*
March day of, 1996.

Gaston Caperton
.....
Governor

PRESENTED TO THE
GOVERNOR

Date 3/20/94

Time 4:57pm