



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB1553

Introduced 2/15/2011, by Rep. Carol A. Sente

#### 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 registered 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).

LRB097 06513 AJO 46597 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 charitable organization  
21 that is currently registered in the State of Illinois, transfer  
22 custody of the property to the government of which his or her  
23 law enforcement agency is a branch, or if the property is in

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

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