

## LOST PROPERTY (EXCERPT)

Act 273 of 1987

### **434.24 Collectible currency and currency; contraband; property in evidence; hazardous material; junk; perishable property; property of major value; property of minor value; disposition.**

Sec. 4. (1) Except as otherwise provided in subsection (2), collectible currency and currency shall be returned to the legal owner when the law enforcement agency is reasonably satisfied of that ownership. Pursuant to section 5, if the legal owner cannot be located or established, the property shall be disposed of pursuant to this act.

(2) All contraband that is or may be evidence and any other found property that is or may be evidence in a criminal or civil action instituted by a governmental attorney shall be kept in a place of safekeeping until the governmental attorney releases the evidence. All contraband shall be disposed of in a manner prescribed by law. Any found property that is evidence that is not contraband shall be returned to the legal owner unless prohibited by law. If the legal owner cannot be located, the property shall be classified as prescribed in section 2(2) and shall be disposed of pursuant to this act.

(3) When the legal owner of the hazardous material cannot be located or established or the hazardous material may pose an imminent danger to life or other property, then the hazardous material may be released to any governmental agency, private industry, institution, business, or person that can safely keep or dispose of the hazardous material and the container.

(4) Found property that is determined to be junk may be disposed of in any manner by the law enforcement agency.

(5) Upon the conclusion of a criminal or civil action instituted by a governmental attorney, evidence may be returned to the legal owner unless prohibited by law or the evidence is required in another court action. If the legal owner cannot be located, the law enforcement agency shall classify the property as prescribed in section 2(2) and dispose of it pursuant to this act.

(6) Perishable property shall be released to the legal owner of the property. Pursuant to section 5, if the legal owner cannot be located or established, the property shall be disposed of pursuant to this act.

(7) All property of major value shall be returned to the legal owner when the law enforcement agency is reasonably satisfied of that ownership. If the legal owner is not located and after 6 months from the date of the notice as prescribed in section 5, the property shall be disposed of pursuant to this act.

(8) All property of minor value shall be returned to the legal owner when the law enforcement agency is reasonably satisfied of that ownership. If after 3 months the property has not been claimed by the legal owner, the property may be disposed of in any manner by the law enforcement agency.

**History:** 1987, Act 273, Imd. Eff. Jan. 6, 1988.