
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1703 Session of
1979

INTRODUCED BY CIMINI AND REED, SEPTEMBER 18, 1979

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 18, 1979

AN ACT

1 Providing for the custody, control and disposition by political
2 subdivisions of abandoned and unclaimed property.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Application.

6 This act shall apply to all tangible personal property, the
7 owner of which is unknown or, if known, who has failed to claim
8 such property as herein provided, which property has been found
9 or discovered by or the rights of any finder relinquished to any
10 political subdivision of this Commonwealth.

11 Section 2. Construction.

12 This act shall supersede the act of August 9, 1971 (P.L.286,
13 No.74), known as the "Disposition of Abandoned and Unclaimed
14 Property Act," when there is a conflict between the acts.

15 Section 3. Claim by owner.

16 All tangible personal property subject to this act and within
17 the jurisdiction of any political subdivision or agency thereof

1 shall be kept at a suitable location where such property may be
2 claimed by the owner for a period of 30 days from the date that
3 said property comes into the custody of the political
4 subdivision or agency.

5 Section 4. Transmission of property to sheriff.

6 All property remaining unclaimed after said 30 days shall be
7 delivered into the custody of the county sheriff for safekeeping
8 and further disposition in accordance with this act.

9 Section 5. Notice to public and owners.

10 (a) The sheriff shall mail a notice to each person who
11 appears to be entitled to any property delivered into his
12 custody within 60 days. The notice shall contain:

13 (1) A statement that property is being held to which the
14 addressee appears entitled.

15 (2) A statement that all claims to such property must be
16 filed with the sheriff within six months of the date of
17 mailing of the notice.

18 (3) A statement that such property will be sold or
19 disposed if unclaimed within said six months and the
20 addressee will lose all title and interest to such property
21 absolutely.

22 (b) Where the owner of property is unknown, the sheriff
23 shall cause to be published in a newspaper of general
24 circulation in the county a notice that shall contain:

25 (1) A statement that property is being held for unknown
26 owners and that a complete list of such property is open for
27 inspection in the office of the sheriff.

28 (2) A statement that the property will be sold or
29 otherwise disposed of on a date certain not less than three
30 months from the date of the initial publication of the

1 notice.

2 (3) A statement that any listed property if unclaimed by
3 the date of sale or disposition will not be subject to any
4 right, title or interest that the owner might otherwise have.

5 Section 6. Time for claims.

6 (a) Where notice has been given under section 5(a), the
7 owner may claim his property by filing a written claim with the
8 sheriff within six months of the date of mailing of the notice.

9 (b) Where notice has been given under section 5(b), the
10 owner may claim his property by filing a written claim with the
11 sheriff by the date of the sale or other disposition.

12 (c) Failure to file a claim within the time specified in
13 subsection (a) or (b) will result in the divestment of the
14 owner's interest in and right to the property, which rights and
15 interest shall then vest in the county.

16 (d) Any person asserting an equitable interest in any
17 property shall give written notice of his interest to the
18 sheriff within the time specified in subsection (b).

19 Section 7. Disposition of property.

20 (a) The sheriff shall propose a schedule of disposition of
21 all property vesting in the county under this act, which
22 schedule shall become final upon approval of the county
23 commissioners.

24 (b) It shall be lawful to dispose of such property by public
25 sale to the highest bidder, by donation to any approved public
26 service agency or nonprofit organization which may have use for
27 such property or by devotion to use by the county.

28 (c) The proceeds of the sale of any property shall first be
29 applied to satisfy the costs of any sale and notices given and
30 the remainder shall be added to the general fund of the county.

1 Section 8. Property of a value of \$250 or more.

2 Any item of property of a value of \$250 or more shall within
3 six months after the expiration of the period specified in
4 section 6, be reported by the sheriff to the Department of
5 Revenue and delivered into its possession. The department may
6 refuse to accept any item which thereupon will become the
7 property of the county to be disposed of in accordance with this
8 act. Such property as is accepted by the department may be sold
9 at public auction and the proceeds therefrom contributed to the
10 General Fund of the Commonwealth.

11 Section 9. Title of purchaser.

12 The purchaser of any property at a public sale conducted in
13 accordance with this act shall receive title to such property
14 free and clear from all claims whatsoever.

15 Section 10. Effective date.

16 This act shall take effect in 60 days.