

By: Creighton  
(Elkins)

S.B. No. 569

A BILL TO BE ENTITLED

AN ACT

relating to the presumption of abandonment of certain tangible personal property held by a county.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 72.101(a), Property Code, is amended to read as follows:

(a) Except as provided by this section and Sections 72.1015, 72.1016, 72.1017, ~~and~~ 72.102, and 72.104, personal property is presumed abandoned if, for longer than three years:

(1) the existence and location of the owner of the property is unknown to the holder of the property; and

(2) according to the knowledge and records of the holder of the property, a claim to the property has not been asserted or an act of ownership of the property has not been exercised.

SECTION 2. Subchapter B, Chapter 72, Property Code, is amended by adding Section 72.104 to read as follows:

Sec. 72.104. TANGIBLE PERSONAL PROPERTY HELD BY COUNTY. Tangible personal property that is found on county land or in a county park, facility, or right-of-way is presumed abandoned if, for longer than 120 days:

(1) the personal property is held by the county;

(2) the existence and location of the owner of the personal property is unknown to the county; and

1           (3) according to the knowledge and records of the  
2 county, a claim to the personal property has not been asserted or an  
3 act of ownership of the personal property has not been exercised.

4           SECTION 3. This Act takes effect September 1, 2015.