
HOUSE BILL 2018

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Mitchell, Ferguson, G. Fisher, Cooper and Nealey.

Read first time February 19, 1991. Referred to Committee on Local Government.

1 AN ACT Relating to port districts; and adding a new chapter to
2 Title 53 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** Whenever personal property comes into
5 the possession of a port district in connection with the official
6 performance of its duties, and the personal property remains unclaimed
7 or not taken away for a period of sixty days from the date of written
8 notice to the owner of the property, if known, and the notice informs
9 the owner of the disposition which may be made of the property under
10 this section and the time that the owner has to claim the property and
11 in all other cases for a period of sixty days from the time the
12 property came into the possession of the port district. The port
13 district may:

1 (1) At any time thereafter sell the personal property at public
2 auction to the highest bidder for cash in the manner provided for in
3 sections 2 and 3 of this act.

4 (2) Destroy an item of personal property at its discretion if it
5 determines that the following circumstances have occurred:

6 (a) The property has no substantial commercial value, or the
7 probable cost of sale exceeds the value of the property;

8 (b) The item has been unclaimed by a person after notice procedures
9 have been met, as prescribed in this section; and

10 (c) It determines that the item is unsafe and unable to be made
11 safe for use by any member of the general public.

12 (3) Donate the unclaimed property to nonprofit charitable
13 organizations for use by needy people.

14 NEW SECTION. **Sec. 2.** Before the personal property is sold, a
15 notice of the sale fixing the time and place thereof which shall be at
16 a suitable place, which will be noted in the advertisement for sale,
17 and containing a description of the property to be sold shall be
18 published at least once in the official newspaper of the city at least
19 ten days prior to the date fixed for the sale. The notice shall be
20 authorized by the port's executive director or his or her designee. If
21 the owner fails to reclaim the property prior to the time fixed for the
22 sale in the notice, the commission shall conduct the sale and sell the
23 property described in the notice at a public auction to the highest and
24 best bidder for cash, and upon payment of the amount of the bid shall
25 deliver the property to the bidder.

26 NEW SECTION. **Sec. 3.** The moneys arising from sales under the
27 provisions of this chapter shall be first applied to the payment of the
28 costs and expenses of the sale and then to the payment of lawful

1 charges and expenses for the keep of the personal property and the
2 balance, if any, shall be paid into the port's incidental expense fund,
3 provided for under RCW 53.36.060.

4 NEW SECTION. **Sec. 4.** If the owner of the personal property
5 sold, or his or her legal representative, shall, at any time within
6 three years after the money was deposited in the port's incidental
7 expense fund, provided for under RCW 53.36.060, furnish satisfactory
8 evidence to the port's executive director, or his or her designee, of
9 the ownership of the personal property, he or she is entitled to
10 receive from the port's incidental expense fund the amount deposited
11 therein with interest.

12 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act shall
13 constitute a new chapter in Title 53 RCW.