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LEGISLATIVE ACTION

Senate

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House

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04/23/2014 03:50 PM

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Senator Diaz de la Portilla moved the following:

**Senate Amendment (with title amendment)**

Between lines 335 and 336

insert:

Section 8. Section 341.103, Florida Statutes, is created to read:

341.103 Disposal of personal property found on a public transportation system.-

(1) If personal property is found on a public transportation system, the director of the system or the director's designee shall take charge of the property and make a



12 record of the date such property was found. If, within 90  
13 calendar days after such property is found, or for a longer  
14 period of time as may be deemed appropriate by the director or  
15 the director's designee under the circumstances, the property is  
16 not claimed by the owner, the director or the director's  
17 designee may:

18 (a) Retain any or all of the property for use by the public  
19 transportation system or for use by the state or the unit of  
20 local government owning or operating the public transportation  
21 system;

22 (b) Trade or donate such property to another unit of local  
23 government or a state agency;

24 (c) Donate the property to a charitable organization;

25 (d) Sell the property; or

26 (e) Dispose of the property through an appropriate refuse  
27 removal company or a company that provides salvage services for  
28 the type of personal property found or located on the public  
29 transportation system.

30 (2) The public transportation system shall notify the  
31 owner, if known, that the property has been found and of its  
32 intent to dispose of such property.

33 (3) If the public transportation system elects to sell the  
34 property, it shall be sold at a public auction on the Internet  
35 or at a specified physical location. Notice of the time and  
36 place of sale must be given at least 10 calendar days before the  
37 date of sale in a publication of general circulation within the  
38 county where the public transportation system is located and  
39 after written notice, via certified mail, return receipt  
40 requested, is provided to the owner, if his or her identity and



41 address are known. Such notice is sufficient if it refers to the  
42 public transportation system's intention to sell all then-  
43 accumulated found property. There is no requirement that the  
44 notice identify each item to be sold. The rightful owner of such  
45 property may reclaim the property at any time before sale by  
46 presenting acceptable evidence of ownership to the public  
47 transportation system director or the director's designee. All  
48 proceeds from the sale of the property shall be retained by the  
49 public transportation system for use by the public  
50 transportation system in any lawfully authorized manner.

51 (4) A purchaser or recipient of personal property sold or  
52 obtained in good faith under this section shall take possession  
53 of the property free of the rights of the persons previously  
54 holding any legal or equitable interest therein, whether or not  
55 recorded.

56  
57 ===== T I T L E A M E N D M E N T =====

58 And the title is amended as follows:

59 Delete line 52

60 and insert:

61 funding; providing criteria; creating s. 341.103,  
62 F.S.; authorizing the director of a transportation  
63 system or his or her designee to dispose of personal  
64 property found on a public transportation system;  
65 providing procedures for disposal; amending s. 479.16,  
66 F.S.;