

By Senator Stargel

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1                                   A bill to be entitled  
2       An act relating to lost or abandoned personal  
3       property; amending s. 705.17, F.S.; providing that  
4       certain provisions relating to lost or abandoned  
5       property do not apply to personal property lost or  
6       abandoned on the premises of certain complexes or  
7       facilities if certain conditions are met; creating s.  
8       705.185, F.S.; providing for the disposal or donation  
9       of personal property lost or abandoned on the premises  
10      of certain complexes or facilities, in certain  
11      circumstances; authorizing the rightful owner of such  
12      lost or abandoned personal property to reclaim such  
13      property before its disposal or donation; requiring a  
14      charitable institution to make a reasonable effort to  
15      delete certain information from an electronic device  
16      in certain circumstances; providing an effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

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20       Section 1. Section 705.17, Florida Statutes, is amended to  
21      read:

22       705.17 Exceptions.—

23       (1) Sections ~~The provisions of ss.~~ 705.101-705.106 do not  
24      apply of this chapter shall not be applied to any personal  
25      property lost or abandoned on the campus of any institution in  
26      the State University System or on premises owned or controlled  
27      by the operator of a public-use airport having regularly  
28      scheduled international passenger service.

29       (2) Sections 705.1015-705.106 do not apply to any personal

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30 property lost or abandoned on premises located within a theme  
31 park or entertainment complex, as defined in s. 509.013(9), or  
32 operated as a zoo, a museum, or an aquarium, or on the premises  
33 of a public food service establishment or a public lodging  
34 establishment licensed under part I of chapter 509, if the owner  
35 or operator of such premises elects to comply with s. 705.185.

36 Section 2. Section 705.185, Florida Statutes, is created to  
37 read:

38 705.185 Disposal of personal property lost or abandoned on  
39 the premises of certain facilities.—When any lost or abandoned  
40 personal property is found on premises located within a theme  
41 park or entertainment complex, as defined in s. 509.013(9), or  
42 operated as a zoo, a museum, or an aquarium, or on the premises  
43 of a public food service establishment or a public lodging  
44 establishment licensed under part I of chapter 509, if the owner  
45 or operator of such premises elects to comply with this section,  
46 any lost or abandoned property must be delivered to such owner  
47 or operator, who must take charge of the property and make a  
48 record of the date such property was found. If the property is  
49 not claimed by its owner within 30 days after it is found, or a  
50 longer period of time as may be deemed appropriate by the owner  
51 or operator of the premises, the owner or operator of the  
52 premises may not sell and must dispose of the property or donate  
53 it to a charitable institution that is exempt from federal  
54 income tax under s. 501(c)(3) of the Internal Revenue Code for  
55 sale or other disposal as the charitable institution deems  
56 appropriate. The rightful owner of the property may reclaim the  
57 property from the owner or operator of the premises at any time  
58 before the disposal or donation of the property in accordance

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59 with this section and the established policies and procedures of  
60 the owner or operator of the premises. A charitable institution  
61 that accepts an electronic device, as defined in s. 815.03(9),  
62 access to which is not secured by a password or other personal  
63 identification technology, shall make a reasonable effort to  
64 delete all personal data from the electronic device before its  
65 sale or disposal.

66 Section 3. This act shall take effect July 1, 2019.