

Legislative Analysis



DONATE ABANDONED BICYCLES

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House Bill 6116 as enrolled
Public Act 587 of 2006

House Bill 6322 as enrolled
Public Act 556 of 2006

Sponsor: Rep. John Stakoe
House Committee: Local Government and Urban Policy
Senate Committee: Local, Urban and State Affairs

Second Analysis (3-2-07)

BRIEF SUMMARY: The bills would allow a county sheriff's office or city law enforcement agency to donate stolen or abandoned bicycles to charitable organizations.

FISCAL IMPACT: As written, the bills would have no significant impact on state or local revenues.

THE APPARENT PROBLEM:

The Oakland County Sheriff's Office, under the Sheriff's Re-CYCLE for Kids program, collects bicycles, bike accessories, and tools from the public as part of a program in which inmates from the Trusty Camp in Auburn Hills refurbish and repair bicycles. (According to the office's website, these are "low level offenders who serve their time by giving back to the community.") The bicycles are then made available to charitable organizations such as the Big Brothers/Big Sisters Metro Detroit, Easter Seals, and other local youth organizations. Each year, the sheriff's office must auction off a number of bicycles that either were abandoned or had been stolen but went unclaimed. If the office had the option to donate all or some of these bikes to the Re-CYCLE for Kids program, then more low-income children and adults could be served. Legislation has been proposed that would enable law enforcement agencies around the state to donate, instead of dispose at auction, a stolen or abandoned bicycle to a charitable organization.

THE CONTENT OF THE BILLS:

The bills would amend current laws that restrict the disposal of abandoned or unclaimed property to allow bicycles to be donated to charitable organizations.

House Bill 6116

Under Public Act 54 of 1959, a county sheriff who has recovered stolen property (including money), that is unclaimed for six months must report the recovery to the county board of commissioners and request authority to dispose of it as provided in the act.

House Bill 6116 would amend the act (MCL 434.171) to provide that if the property is an abandoned or stolen bicycle, the sheriff could request authority from the board to donate the bicycle to a state licensed charitable organization.

House Bill 6322

Under Public Act 214 of 1974, a law enforcement officer of a village or township who recovers stolen property or discovers abandoned personal property, which then goes unclaimed for six months, must report the recovery or discovery to the village council or township board of trustees and request authority to dispose of it as provided in the act or give it to the county sheriff to dispose of as provided under Public Act 54 of 1959.

House Bill 6322 would amend Public Act 214 (MCL 434.181) so that it would apply also to cities and would place the responsibility for reporting the recovery of stolen property or discovery of abandoned property with the local law enforcement agency instead of with a law enforcement officer. In addition, if the property were an abandoned or stolen bicycle, the law enforcement agency could request authority from its governing body to donate the bicycle to a state licensed charitable organization.

ARGUMENTS:

For:

The bills would enable city, village, and township police agencies and county sheriff offices to donate stolen or abandoned bicycles to charitable organizations instead of having to store the bikes and arrange and conduct an auction. Apparently, most of the bikes are in disrepair and do not bring much in the way of revenue. When organizations exist around the state that collect and repair bikes for distribution to needy children or adults, such as the Re-CYCLE for Kids program in Oakland County, police agencies and sheriff offices should be allowed to donate the bikes to them.

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