



County Technical Assistance Service

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Disposal of Property

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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Disposal of Property

Reference Number: CTAS-1280

The sheriff is authorized by statute to dispose of all abandoned, stolen, and recovered or worthless property that remains unclaimed in the sheriff's custody and possession by virtue of confiscation, abandonment, or having been stolen and recovered. Such property may not be disposed of until a period of six months has elapsed from date of acquisition of the property by the sheriff. Prior to disposing of such property, the sheriff must make a reasonable effort to locate the true owner of the property and notify the owner of the sheriff's possession of the property. When located, the true owner must claim the property within a reasonable time. However, the sheriff is prohibited from returning any property to the owner, even if known, if the return of the property would be contrary to the public welfare. In the event that the owner of such property cannot be located, the sheriff must present to a judge of one of the criminal courts of the county a list of all such property to be disposed of, together with an affidavit that the sheriff has made a reasonable search for the true owner thereof and that the true owner cannot be located. The sheriff must then procure an order from the court directing the manner in which such property is to be disposed of. Proceeds from the disposition of such property must be paid over to the general fund of the county. T.C.A. § 8-8-501. See *also* T.C.A. § 66-29-101 *et seq.*

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