

AMENDED IN SENATE JUNE 22, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1890

**Introduced by Committee on Higher Education (Portantino (Chair),
Block, Cook, Fong, Galgiani, Huber, Ma, and Ruskin)**

February 16, 2010

An act to amend ~~Sections 2080.8 and 2080.9~~ of *Section 2080.8* of, and to repeal *Section 2080.9* of, the Civil Code, relating to property.

LEGISLATIVE COUNSEL'S DIGEST

AB 1890, as amended, Committee on Higher Education. Property: lost and unclaimed.

Existing law authorizes the Regents of the University of California to provide by resolution or regulation for the care, restitution, sale, or destruction of unclaimed property in the possession of the regents or of the University of California Police Department. Existing law also authorizes the Trustees of the California State University to provide by resolution or regulation for the care, restitution, sale, or destruction of unclaimed, lost, or abandoned property in the possession of any state university. Existing law requires any resolution or regulation adopted by the trustees pursuant to those provisions to include that property shall be held for a period of at least 6 months.

This bill would limit that requirement to property valued at or above \$300. *The bill would extend the authorization of the Regents of the University of California to also provide for the care, restitution, sale, or destruction of lost or abandoned property, as specified.* The bill would also decrease the minimum holding period to 3 months for property held by the state university. The bill would make related technical, nonsubstantive changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2080.8 of the Civil Code is amended to
 2 read:

3 2080.8. (a) The Regents of the University of California *and*
 4 *the Trustees of the California State University, as applicable*, may
 5 provide by resolution or regulation for the care, restitution, sale,
 6 or destruction of unclaimed, *lost, or abandoned* property in the
 7 possession of the Regents of the University of California ~~or of~~, the
 8 University of California Police Department, *or any state university*.

9 (b) Any resolution or regulation adopted pursuant to this section
 10 shall provide therein (1) that unclaimed, *lost, or abandoned*
 11 property valued at or above three hundred dollars (\$300) shall be
 12 held by the Regents of the University of California ~~or~~, the
 13 University of California Police Department, *or the particular state*
 14 *university* for a period of at least three months, (2) that thereafter
 15 the property will be sold at public auction to the highest bidder,
 16 and (3) that notice of that sale shall be given by the Regents of
 17 the University of California ~~or~~, the University of California Police
 18 Department, *or the Trustees of the California State University* at
 19 least five days before the time therefor by publication once in a
 20 newspaper of general circulation published in the county in which
 21 the property is held.

22 (c) The Regents of the University of California *or the Trustees*
 23 *of the California State University* may dispose of any of that
 24 property upon which no bid is made at any sale.

25 ~~SEC. 2. Section 2080.9 of the Civil Code is amended to read:~~

26 ~~2080.9. (a) The Trustees of the California State University~~
 27 ~~may provide by resolution or regulation for the care, restitution,~~
 28 ~~sale, or destruction of unclaimed, lost, or abandoned property in~~
 29 ~~the possession of any state university.~~

30 ~~(b) Any resolution or regulation adopted pursuant to this section~~
 31 ~~shall include therein (1) that unclaimed or lost property valued at~~
 32 ~~or above three hundred dollars (\$300) shall be held by the particular~~
 33 ~~state university for a period of at least three months, (2) that~~
 34 ~~thereafter the property, as well as abandoned property, will be sold~~
 35 ~~at public auction to the highest bidder, and (3) that notice of that~~

1 ~~sale shall be given by the Trustees of the California State~~
2 ~~University at least five days before the time therefor by publication~~
3 ~~once in a newspaper of general circulation published in the county~~
4 ~~in which the property is held.~~

5 ~~(e) The Trustees of the California State University may dispose~~
6 ~~of any of that property upon which no bid is made at any sale.~~

7 *SEC. 2. Section 2080.9 of the Civil Code is repealed.*

8 ~~2080.9. The Trustees of the California State University may~~
9 ~~provide by resolution or regulation for the care, restitution, sale,~~
10 ~~or destruction of unclaimed, lost, or abandoned property in the~~
11 ~~possession of any state university. Any resolution or regulation~~
12 ~~adopted pursuant to this section shall include therein (1) that such~~
13 ~~unclaimed or lost property shall be held by the particular state~~
14 ~~university for a period of at least six months, (2) that thereafter~~
15 ~~such property, as well as abandoned property, will be sold at public~~
16 ~~auction to the highest bidder, and (3) that notice of such sale shall~~
17 ~~be given by the Trustees of the California State University at least~~
18 ~~five days before the time therefor by publication once in a~~
19 ~~newspaper of general circulation published in the county in which~~
20 ~~such property is held. The Trustees of the California State~~
21 ~~University may dispose of any such property upon which no bid~~
22 ~~is made at any such sale.~~