

HB 853 -- TOWING ABANDONED PROPERTY

SPONSOR: Spencer

This bill changes the laws regarding towing abandoned property. In its main provisions, the bill:

- (1) Adds a towing lien for any individual who removes property at the direction of an individual. Currently, this lien is only available to a towing agency when the agency is directed to remove property at the request of a law enforcement officer or government official;
- (2) Specifies that the existence of a towing lien does not prevent an individual from exercising other rights under the law;
- (3) Allows a towing agency to submit, in lieu of an abandoned property report, an affidavit stating that the towing agency has requested a signed copy of the abandoned property report via certified mail from the law enforcement agency with jurisdiction, but the agency did not respond within 30 days;
- (4) Allows a towing agency to submit an abandoned property report to the law enforcement agency that has jurisdiction of the lot or the towing site. Currently, the towing agency is required to submit the abandoned property report to the law enforcement agency having jurisdiction over the tow site; and
- (5) Requires a law enforcement agency to provide the towing agency with a signed copy of the abandoned property report within 24 hours of receiving the request.