

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 662

Senate Judiciary I Committee Substitute Adopted 5/30/91

Short Title: Unclaimed Garments & Property.

(Public)

Sponsors:

Referred to:

April 10, 1991

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE LAW PROVIDING FOR THE DISPOSITION BY LAUNDRIES AND DRY CLEANERS OF UNCLAIMED GARMENTS AND TO AMEND THE LAW REGARDING DISPOSAL OF UNCLAIMED PROPERTY BY SHERIFFS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 66-67 reads as rewritten:

"§ 66-67. Disposition by laundries and dry cleaning establishments of certain unclaimed clothing.

(a) If any person shall fail fails to claim any garment, clothing, household article or other article delivered for laundering, cleaning or pressing to any laundry or dry cleaning establishment as defined in G.S. 105-85, or any dry cleaning establishment as defined in G.S. 105-74, for a period of 60-90 days after the surrender of such articles for processing, the laundry or dry cleaning establishment shall have the right to may dispose of such garments, clothing, household articles or other articles by whatever means it may choose, without liability or responsibility to the owner-owner, 30 days after notice given by certified mail, return receipt requested, has been received by the owner of the garment, clothing, or other article, stating that the article will be disposed of unless it is redeemed within 30 days of the date of receipt of the notice. Provided, however, that before such laundry or dry cleaning establishment may claim the benefit of this section it shall at the time of receiving such garments, clothing, household articles or other articles, have a notice of dimensions of not less than eight and one-half by 11 inches, prominently displayed in a conspicuous place in the office, branch office or retail outlet

1 where said clothes, garments or articles are received, if the same be received at an
2 office, on which notice shall appear the words 'NOT RESPONSIBLE FOR GOODS
3 LEFT ON HAND FOR MORE THAN ~~60 DAYS~~ - 90 DAYS'. ~~Provided further, that any~~
4 ~~garment or clothing or other article of a value of more than five hundred dollars (\$500.00) may~~
5 ~~not be disposed of for a period of one year after the surrender of such articles for processing, in~~
6 ~~which case such garments, clothing or other articles may be disposed of 30 days after a notice~~
7 ~~thereof has been sent by certified mail, with return receipt requested, to the last known address~~
8 ~~of the owner of such garment, clothing or other article;~~

9 (b) If any person fails to claim any garment, clothing, household article or other
10 article delivered to any laundry or dry cleaning establishment described in subsection
11 (a) of this section and displaying the notice described in that subsection, for a period of
12 180 days, the laundry or dry cleaning establishment may, without giving notice to the
13 owner, dispose of such garment, clothing, household article, or other article by whatever
14 means it may choose, without liability or responsibility to the owner.

15 ~~(c) provided further, that the~~ The provisions of this section shall also be applicable
16 with respect to the storage of garments, furs, rugs, clothing or other articles after the
17 completion of the period for which storage was agreed to be provided."

18 Sec. 2. G.S. 15-13 reads as rewritten:

19 **"§ 15-13. Public sale 30 days after publication of notice.**

20 If said articles shall remain unclaimed or satisfactory evidence of ownership thereof
21 not be presented to the sheriff or police department, as the case may be, for a period of
22 30 days after the publication of the notice provided for in G.S. 15-12, then the said
23 sheriff or police department in whose custody such articles may be is hereby authorized
24 and empowered to sell the same at public auction for cash to the highest bidder, either at
25 the courthouse door of the county, the county law enforcement headquarters if the sale
26 is conducted by the sheriff, or at the police headquarters of the municipality in which
27 the said articles of property are located, and at such sale to deliver the same to the
28 purchaser or purchasers thereof."

29 Sec. 3. This act is effective upon ratification, and Section 1 applies to all
30 articles delivered to a laundry or dry cleaning establishment on or after that date.