

Bill Summary
2nd Session of the 60th Legislature

Bill No.:	SB 1235
Version:	INT
Request No.	2285
Author:	Sen. Rader
Date:	12/11/2025

Bill Analysis

SB 1235 prohibits any municipality or county as well as the state from seizing personal property located on public property absent an objectively reasonable belief that the property is abandoned, presents an immediate threat to public health or safety, is evidence of a crime, or is contraband. The municipality, county, or state must post notice at least 48 hours prior to seizing the property. Additionally, the municipality, county, or state must notify the rightful owner of any property it intends to remove from public property every 48 hours and at least 24 hours prior to such removal. If the owner has not removed the property, the municipality, county, or state may remove and must provide written notice of its removal. This notice must advise where the property will be kept and when and how it may be claimed by the rightful owner. Such property shall be maintained in a secure location by the municipality for a 90-day period. Birth certificates, state and federal-issued identity documents, and unexpired prescription medication shall be maintained in a secure location longer than the 90-day period.

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