

Police Personal Property Custody and Disposition Act

Act No. 88 of May 31, 1967, as amended

(Contains amendments incorporated by:

[Act No. 62 of May 31, 1972](#)

[Act No. 65 of June 13, 1977](#))

To authorize the Police Superintendent of Puerto Rico to deliver to the Secretary of the Treasury [*Note: Current General Services Administrator*] all those properties which the Police may have taken possession of as a result of their official functions and to establish the proceeding for the custody and disposal of same and to fix penalties for persons who may claim as their own objects belonging to others.

Be it enacted by the Legislature of Puerto Rico:

Section 1. — Personal Property Disposition — (25 L.P.R.A. § 1003 note, 1979 Edition)

The Superintendent of Police shall deliver to the General Services Administrator all such personal properties which the Police may have taken possession of as result of their official functions, except firearms, and stolen, robbed or swindled property related to judgments pending in the courts, or that property which is being retained subject to investigation of the commission of an offense. The General Services Administrator shall dispose of this personal property in accordance with the procedures that he may have established through regulations for the disposition of surplus property; as he is thus empowered by the laws that he implements to such effects. If the properties are sold at public auction, the proceeds thereof shall be covered into the General Fund, unless it is reimbursed to the Administration for the expenses incurred.

Section 2. — Custody Proceedings. — (25 L.P.R.A. § 1003 note, 1979 Edition)

For the custody of the personal property mentioned in the foregoing section while in the hands of the Police, the following procedures shall be followed: The Police shall keep in custody the personal property covered by this act, for a term of not less than one year from the date on which they take possession of such property, in a center or centers where they can be examined by the public. Perishable property of as short duration shall be delivered to the General Services Administrator as soon as the Police are convinced that their owners cannot be located, to be disposed of pursuant to the procedures established for such cases. Any person may claim such property, and it shall be the duty of the Superintendent to deliver it, if reliable proof has been presented which may attest that the claimant is the legitimate owner of such property, and he has established his claim before the properties have been transferred for disposition to the General Services Administrator. The Superintendent shall inform the public once every six months, in two newspapers of general circulation on the Island, of the location of the center, or centers, where the

personal properties covered by this act are deposited. The General Services Administrator shall not receive these properties for disposition unless the delivery is accompanied by a certificate stating the date and the newspapers in which the notice ordered herein was published. At least once every six months, the Superintendent, in coordination with the mayor of each municipality where a deposit center of such personal property is located, shall fix on the Bulletin Board of said municipality a general list of such personal property included under the provisions of this act, which is in the possession of the Police. One year after the date on which the Police took possession of property which is not under investigation as a result of the commission of a criminal offense; or after five (5) years from the date on which the Police took possession of stolen, robbed or swindled property which has been retained because the offense committed is under investigation, and no charges have been filed against any person, and the legitimate owners have not appeared, the Superintendent shall deliver it to the General Services Administrator. It shall be the obligation of the Superintendent to prepare a descriptive list or inventory of such personal property, to be given to the General Services Administrator, who may proceed immediately to the final disposition thereof, pursuant to the order of disposition approved for surplus property. In the case of motor vehicles, the Secretary of Transportation and Public Works shall issue a new record without charge, and free from encumbrance.

Section 3. — Rules and Regulations. — (25 L.P.R.A. § 1003 note, 1979 Edition)

The Superintendent of Police is hereby authorized to adopt such Rules and Regulations as may be necessary for the best implementation of this act, with regard to the personal property which he has taken possession of and is under his custody, which shall be applied to the custody of said property until its delivery to the General Services Administrator, who shall be authorized to adopt the Rules and Regulations as may be necessary for the disposition of this property as surplus property.

Section 4. — Penalties — (25 L.P.R.A. § 1003 note, 1979 Edition)

Any person who unlawfully claims ownership and takes possession of the property mentioned in this act shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred (100) dollars nor more than five hundred (500) dollars, or by imprisonment in jail for a term not to exceed six (6) months, or both penalties in the discretion of the Court. Any citizen having access to, or who is employed by the Police of Puerto Rico or the General Services Administration, who without having been lawfully authorized thereto, shall, knowingly and maliciously, deliver personal property to another person who has not established lawful ownership thereof, shall be guilty of a misdemeanor and, upon conviction, shall be punished by the same penalties fixed herein.

Section 5. — (25 L.P.R.A. § 1003 note, 1979 Edition)

This act shall take effect immediately after its approval.

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See also the [Original Version Act](#) , as approved by the Legislature of de Puerto Rico.