CHAPTER 853

An Act to amend and reenact § 37.1-33 of the Code of Virginia, relating to disposal of unclaimed property of certain patients in state mental health facilities.

[S 426]

Approved April 9, 1996

Be it enacted by the General Assembly of Virginia:

1. That § 37.1-33 of the Code of Virginia is amended and reenacted as follows:

§ 37.1-33. Disposal of unclaimed personal property of certain patients in state facilities.

If any patient *or resident* dies, is released *or discharged* or escapes and leaves any article or articles of personal property, including bonds, money and any intangible assets, in custody of a state facility, the director thereof may, in his discretion, after *notification in person, by telephone, or by registered mail to the patient, resident, or known next-of-kin or personal representative and after* the lapse of three years from the date of such death, release, *discharge* or escape, if no claim therefor has been made~~, sell~~*:*

1. Sell such personal property either at public or private sale. Whenever such sale or sales are made, the director shall deposit the net proceeds thereof in the welfare fund of such facility, and the same shall become a part of such fund~~.~~*;*

2. Retain and issue for use of current patients or residents, articles of clothing suitable for continued use; or

3. In the absence of a reason to retain such articles, order destruction or other disposal of personal care articles, articles of clothing and other belongings that are not suitable, by reason of their nature or condition, for sale or use by others, including personal and private papers, writings, drawings or photographs which would compromise the privacy or confidentiality of any person who may be the author, creator or subject thereof.