

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

4 [H 1253]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 37.1-33 of the Code of Virginia is amended and reenacted as follows:**

8 § 37.1-33. Disposal of unclaimed personal property of certain patients in state facilities.

9 If any patient *or resident* dies, is released, *discharged* or escapes and leaves any article or articles of  
10 personal property, including bonds, money and any intangible assets, in custody of a state facility, the  
11 director thereof may, in his discretion, after the lapse of three years from the date of such death, release,  
12 *discharge* or escape, if no claim therefor has been made, ~~sell~~:

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

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

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

ENROLLED

HB1253ER