



28 **Disposition of proceeds -- Notice -- Title of purchaser -- Immunity from liability.**

29 (1) As used in this section, "impounded livestock" means cattle, calves, horses, mules,  
 30 sheep, goats, hogs, or domesticated elk seized and retained in legal custody.

31 (2) (a) Each county may:

32 (i) take physical possession of impounded livestock seized and retained within its  
 33 boundaries; and

34 (ii) attempt to determine the name and location of the impounded livestock's owner.

35 (b) The department shall assist a county who requests help in locating the name and  
 36 location of the owner or other person responsible for the impounded livestock.

37 (c) If ownership of the impounded livestock cannot be determined, or, if having  
 38 determined ownership, neither the county nor the department is able to locate the owner within a  
 39 reasonable period of time, the impounded livestock, notwithstanding Title 67, Chapter 4a,  
 40 Unclaimed Property Act, shall be sold at a livestock or other appropriate market, and the proceeds  
 41 of the sale paid, after the deduction of feed, transportation, and market costs, to the <sup>h</sup> [county  
 42 conducting the sale of the impounded livestock] STATE SCHOOL FUND CREATED BY THE UTAH  
 43a CONSTITUTION ARTICLE X, SECTION 5, SUBSECTION (1) <sup>h</sup> .

43 (3) Notice of the intended sale of the impounded livestock must be published:

44 (a) at least ten days prior to the date of sale; and

45 (b) in a publication with general circulation within the county where the impounded  
 46 livestock was taken into custody.

47 (4) The purchaser of impounded livestock sold under this section shall receive title to the  
 48 impounded livestock free and clear of all claims of the owner or any person claiming title through  
 49 the owner.

50 (5) If the county complies with the provisions of this section, it is immune from liability  
 51 for the sale of impounded livestock sold at a livestock or other appropriate market.

**Legislative Review Note**  
**as of 12-27-01 1:20 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**