

CHAPTER 539 — H.F.No. 685

An act relating to crimes; providing photographic records of evidence shall be admissible as evidence; providing for the return of stolen property; proposing new law coded in Minnesota Statutes, Chapter 609.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[609.523] RETURN OF STOLEN PROPERTY TO OWNERS.**

Subdivision 1. PHOTOGRAPHIC RECORD. Photographs of property, as defined in section 609.52, subdivision 1, over which a person is alleged to have exerted unauthorized control or to have otherwise obtained unlawfully, are competent evidence if the photographs are admissible into evidence under all rules of law governing the admissibility of photographs into evidence. The photographic record, when satisfactorily identified, is as admissible in evidence as the property itself.

Subd. 2. RECORD OF PROPERTY. The photographs may bear a written description of the property alleged to have been wrongfully taken, the name of the owner of the property taken, the name of the accused, the name of the arresting law enforcement officer, the date of the photograph, and the signature of the photographer.

Subd. 3. RETURN OF PROPERTY. A law enforcement agency which is holding property over which a person is alleged to have exerted unauthorized control or to have otherwise obtained unlawfully may return that property to its owner if:

(a) The appropriately identified photographs are filed and retained by the law enforcement agency;

(b) Satisfactory proof of ownership of the property is shown by the owner;

(c) A declaration of ownership is signed under penalty of perjury; and

(d) A receipt for the property is obtained from the owner upon delivery by the law enforcement agency.

Subd. 4. If the recovered property has a value in excess of \$150, then the owner shall retain possession for at least 14 days to allow the defense attorney to examine the property.

Approved March 22, 1982

Changes or additions are indicated by underline, deletions by ~~strikeout~~.