

~~(1)~~ (I) THE PROPERTY IS NO LONGER NEEDED IN CONNECTION WITH A PROSECUTION; OR

~~(2)~~ (II) IF THE PROPERTY IS NOT CONNECTED TO A PROSECUTION, RETENTION OF THE PROPERTY IS NO LONGER RELEVANT TO THE LOCAL LAW ENFORCEMENT AGENCY.

(2) PERSONAL PROPERTY THAT IS USED AS EVIDENCE IN A CRIMINAL PROSECUTION SHALL BE RETAINED BY A LOCAL LAW ENFORCEMENT AGENCY IN THE SAME MANNER AS OTHER EVIDENCE RETAINED BY THE AGENCY.

(D) (1) AFTER A LOCAL LAW ENFORCEMENT AGENCY DETERMINES THAT PERSONAL PROPERTY IS NO LONGER NEEDED IN CONNECTION WITH A PROSECUTION OR RETENTION OF THE PROPERTY IS NO LONGER RELEVANT TO THE LOCAL LAW ENFORCEMENT AGENCY, THE LOCAL LAW ENFORCEMENT AGENCY SHALL NOTIFY THE OWNER OF THE PROPERTY THAT THE LOCAL LAW ENFORCEMENT AGENCY IS IN POSSESSION OF THE PROPERTY.

(2) AFTER NOTIFICATION, THE OWNER OF THE PROPERTY HAS UP TO 30 DAYS TO SECURE THE IMMEDIATE RELEASE OF THE PROPERTY TO THE OWNER OR THE OWNER'S DESIGNEE WITH PROPER IDENTIFICATION.

(E) (1) AT ANY TIME AFTER PERSONAL PROPERTY HAS BEEN IN THE POSSESSION OF A LOCAL LAW ENFORCEMENT AGENCY FOR 3 MONTHS AND THE LOCAL LAW ENFORCEMENT AGENCY DETERMINES THAT THE PROPERTY IS NO LONGER NEEDED IN CONNECTION WITH A PROSECUTION OR RETENTION OF THE PROPERTY IS NO LONGER RELEVANT TO THE LOCAL LAW ENFORCEMENT AGENCY, THE LOCAL LAW ENFORCEMENT AGENCY SHALL:

(I) GIVE NOTICE OF THE SALE OF THE PROPERTY BY REGISTERED OR CERTIFIED MAIL TO THOSE PERSONS ENTITLED TO ITS POSSESSION AND TO THOSE LIENHOLDERS WHOSE NAMES AND ADDRESSES CAN BE ASCERTAINED BY THE EXERCISE OF REASONABLE DILIGENCE; AND

(II) PUBLISH A DESCRIPTION OF THE PROPERTY AND THE TIME, PLACE, AND TERMS OF THE SALE OF THE PROPERTY IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY OR MUNICIPAL CORPORATION IN EACH OF TWO SUCCESSIVE WEEKS.

(2) AFTER COMPLYING WITH THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION, THE LOCAL LAW ENFORCEMENT AGENCY MAY SELL THE PROPERTY AT PUBLIC AUCTION.