

SB 862 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 2/27, 3/9

WHAT THE MEASURE DOES:

Modifies the advertising requirement for a self-storage facility (facility) that has a lien on personal property worth at least \$300 from once a week for two consecutive weeks in a local newspaper to once; alternatively allows the facility to post on a publicly accessible website that regularly advertises or offers personal property for auction or sale. Removes requirement that if no newspaper is available, facility must post in at least six conspicuous places in the neighborhood of the facility. Allows facility to sell the property five days (instead of 15) after the posting concerning the sale.

REVENUE: Has minimal revenue impact

FISCAL: Has minimal fiscal impact

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Directs an owner of a self-storage unit, before advertising personal property for sale, to notify by postal mail or e-mail, an estate administrator of the State Treasurer of the existence of the property that is subject to the lien. Provides five business days after notice for the Treasurer to ask the self-storage owner to halt any planned sale of the personal property. If the Treasurer does not ask the self-storage owner to halt the advertisement or sale, the owner may sell the personal property no earlier than 10 days (instead of five) after the date of posting or publication of the advertisement.

BACKGROUND:

If a self-storage renter leaves personal property worth more than \$300 in a unit, that is subject to a lien, current law requires the self-storage facility to advertise a sale once a week for two consecutive weeks in a local newspaper. If there is no newspaper of general circulation, the law requires the ad be posted in at least six conspicuous places in the neighborhood of the storage facility. The personal property may currently be listed for sale on an appropriate website, but the sale must be completed in person. After 15 days has passed, the facility may sell the items; if no bids are received, the facility may dispose of the items.

SB 862 continues to allow advertising in a local newspaper but reduces publication from once a week for two consecutive weeks to one publication; alternatively, a facility may publish notice of the sale on an appropriate website. The measure also reduces the number days the facility must wait to sell or dispose of the personal property from 15 days to five.