

SB 1069 A STAFF MEASURE SUMMARY
Senate Committee On Housing and Development

Carrier: Sen. Knopp

Action Date: 04/03/23
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 5-0-0-0
Yeas: 5 - Anderson, Jama, Knopp, Patterson, Sollman
Fiscal: No fiscal impact
Revenue: No revenue impact
Prepared By: Kevin Rancik, LPRO Analyst
Meeting Dates: 3/8, 4/3

WHAT THE MEASURE DOES:

Allows electronic delivery of written notice to landlord or tenant, if allowed under written addendum to rental agreement which specifies electronic mail addresses each party agrees to send and receive electronic mail to and from. Provides language to which addendum must substantially adhere, including that addendum is voluntary. Allows electronic return of security deposit or prepaid rent upon termination of tenancy, if tenant so requested after tenancy began.

ISSUES DISCUSSED:

- Voluntary nature and timing of opt-in to electronic notice
- Verifying delivery of electronic notice
- Start time of countdowns initiated by electronic delivery
- Availability of option to request notice in different languages
- Whether some notices should be duplicated physically

EFFECT OF AMENDMENT:

Provides for electronic delivery of landlord and tenant notices only if allowed under written addendum to rental agreement which specifies electronic mail addresses each party agrees to send and receive electronic mail to and from. Provides language to which addendum must substantially adhere, including that addendum is voluntary. Requires that in order to receive security deposit or prepaid rent electronically, tenant must request this after tenancy begins. Removes provisions of Act allowing electronic notice of disposal, sale, or storage of tenant's personal property following end of tenancy.

BACKGROUND:

Current statutes regarding landlord and tenant communication require written notices to be provided by mail or through in-person means. Notices, such as those regarding evictions or changes to rental agreements, and subsequent actions of either the landlord or tenant, must be provided and take place within specific time frames. Mail delivery can add a few days to the time it takes for communication to arrive, reducing the amount of time the recipient has to take action.

Senate Bill 1069 A allows electronic delivery of landlord and tenant notices if agreed to under rental agreement addendum, and allows electronic refunds and returns of security deposits and rent upon tenant request after the tenancy begins.