

Session 122 - (2017-2018)

S 0507 General Bill, By Alexander

Summary: Self-storage facilities

A BILL TO AMEND SECTION 39-20-45 OF THE 1976 CODE, RELATING TO SELF-SERVICE STORAGE FACILITIES, TO PROVIDE THAT, AFTER A FIFTY DAY DEFAULT PERIOD, THE OWNER OF A STORAGE FACILITY MAY ENFORCE ITS LIEN BY ARRANGING FOR A COMMERCIALLY REASONABLE PUBLIC SALE TO THE HIGHEST BIDDER SO LONG AS, AT LEAST SEVEN DAYS BEFORE THE SALE, THE OWNER ADVERTISES THE PUBLIC SALE IN A COMMERCIALLY REASONABLE MANNER AND IN ACCORDANCE WITH THE REQUIREMENTS IN ITEM (F) OF THIS SECTION; TO PROVIDE THAT, FOR PURPOSES OF THIS CHAPTER, "COMMERCIALLY REASONABLE SALE" INCLUDES, BUT IS NOT LIMITED TO, THE OFFERING OF PROPERTY TO AN AUDIENCE OF BIDDERS THROUGH AN ONLINE, PUBLICLY ACCESSIBLE AUCTION WEBSITE AND THAT THE ADVERTISEMENT WILL BE DEEMED TO HAVE BEEN MADE IN A "COMMERCIALLY REASONABLE MANNER" IF AT LEAST THREE INDEPENDENT BIDDERS ATTEND THE SALE AT THE TIME AND PLACE AS ADVERTISED; TO PROVIDE THAT, IN THE EVENT THAT THE PUBLIC SALE IS PLANNED TO BE HELD THROUGH A PUBLICLY AVAILABLE INTERNET WEBSITE, THE ADVERTISEMENT SHALL INCLUDE THE WEBSITE ADDRESS, WHICH SHALL CONSTITUTE THE "PLACE" FOR PURPOSES OF FULFILLING THIS REQUIREMENT; AND TO PROVIDE THAT ANY SALE OR DISPOSITION OF PERSONAL PROPERTY FROM A COMMERCIALLY REASONABLE SALE MUST BE HELD IN A COMMERCIALLY REASONABLE MANNER EITHER THROUGH A PUBLICLY ACCESSIBLE INTERNET WEBSITE, AT THE SELF SERVICE STORAGE FACILITY, OR AT THE NEAREST SUITABLE PLACE TO WHERE THE PERSONAL PROPERTY IS HELD OR STORED.

03/07/17 Senate Introduced and read first time (Senate Journal-page 5)

03/07/17 Senate Referred to Committee on Labor, Commerce and Industry (Senate Journal-page 5)