

SESSION OF 2021

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2112

As Recommended by House Committee on
Commerce, Labor and Economic Development

Brief*

HB 2112 would revise the Self-service Storage Act (Act) as it pertains to liability claims and the contents of storage agreements.

The bill would modify the Act as follows:

- Limit claims of damage or loss of personal property to the maximum value of personal property as specified in the rental agreement;
- Require self-service storage rental agreements to ask the occupant if such occupant wishes to designate an alternative contact and permit them to do so. Alternative contacts would not be given rights to the rental space or its contents merely by virtue of being designated as such;
- Permit the online sale of stored personal property in the event of default by the occupant, as currently defined by the Act; and
- Grant discretion to the operator to give seven days notice of the sale by any commercially reasonable manner. Currently, the Act requires such notice to be made by newspaper only.
 - The manner of advertising a sale would be deemed not commercially reasonable and a

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

sale would be canceled and subsequently rescheduled and re-advertised if fewer than three independent bidders were present in person or online.

- A rescheduled sale would not be required to have three bidders in attendance.

Background

The bill was introduced by Representative Tarwater. [Note: The bill is a modified version of 2020 HB 2454, which passed the House during the 2020 Session but died in Senate Committee. The bill differs from HB 2454 only by the addition of the provision for occupants to designate an alternative contact.]

House Committee on Commerce, Labor, and Economic Development

During the House Committee hearing, **proponent** testimony was presented by a representative of the Self-Storage Association.

No neutral or opponent testimony was presented in the House Committee hearing.

Written-only **opponent** testimony was provided by a representative of the Kansas Press Association.

Fiscal Information

According to a fiscal note prepared by the Division of the Budget on the bill, the Office of Judicial Administration estimates a negligible fiscal effect on the Judicial Branch if the bill were enacted.

Rental agreements; self-storage rental units