



<BillNo> <Sponsor>

SENATE BILL 543

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 66,
Chapter 31, relative to self-service storage
facilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 66-31-105(2)(F), is amended by
deleting the following language:

After expiration of the time stated in the notice and if the personal property has
not otherwise been disposed, the owner shall advertise the sale of the personal
property. Such advertisement of sale shall include, but not be limited to, the
publishing one (1) time before the date of the sale of the personal property in a
newspaper of general circulation which serves the area where the self storage
facility is located. The advertisement shall include:

and substituting instead the following:

After expiration of the time stated in the notice and if the personal property has
not otherwise been disposed, the owner shall advertise the sale of the personal
property in a commercially reasonable manner. The manner of advertisement is
deemed commercially reasonable if not less than three (3) potential bidders
participate in the sale at the time and place advertised. The advertisement of
sale may include, but not be limited to, the publishing one (1) time before the
date of the sale of the personal property in a newspaper of general circulation
that serves the area where the self storage facility is located. An advertisement
must include:

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to SB0543

Bell
Signature of Sponsor

AMEND Senate Bill No. 543*

House Bill No. 1073

by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 66-31-105(2)(E), is amended by deleting the subdivision and substituting the following:

(E) Any sale or other disposition of the personal property must be held at the self-service storage facility, online, or at the nearest suitable place to where the personal property is held or stored;

SECTION 2. Tennessee Code Annotated, Section 66-31-105(2)(F), is amended by deleting the following:

After expiration of the time stated in the notice and if the personal property has not otherwise been disposed, the owner shall advertise the sale of the personal property. Such advertisement of sale shall include, but not be limited to, the publishing one (1) time before the date of the sale of the personal property in a newspaper of general circulation which serves the area where the self storage facility is located. The advertisement shall include:

and substituting the following:

After expiration of the time stated in the notice and if the personal property has not otherwise been disposed, the owner shall advertise the sale of the personal property in a commercially reasonable manner. The manner of advertisement is deemed commercially reasonable if not less than three (3) potential bidders participate in the sale at the time and place advertised. The advertisement of sale may include, but not be limited to, the publishing one (1) time before the date of the sale of the personal property

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in a newspaper of general circulation that serves the area where the self storage facility is located. An advertisement must include:

SECTION 3. Tennessee Code Annotated, Section 66-31-105(2)(K)(ii), is amended by deleting the following:

The facility owner shall contact the appropriate division in such manner as the division prescribes for the purposes of determining the existence and identity of any lien holder and the name and address of the owner of the vehicle, as shown in the records of the division. Within ten (10) days of receipt of such information concerning any lien holder and the owner of such motor vehicle, as shown in the division's records, the owner shall send a written notice to any such lien holder and to the owner, if such owner is not the occupant, by verified mail, stating that:

and substituting the following:

The facility owner shall contact the appropriate division in such manner as the division prescribes for the purposes of determining the existence and identity of any lien holder and the name and address of the owner of the vehicle as shown in the division's records. If the vehicle is a motor vehicle, then the facility owner may also contact the county clerk for the purposes of determining the existence and identity of any lien holder and the name and address of the owner of the motor vehicle as shown in the county clerk's records. Within ten (10) days of receipt of the information concerning any lien holder and the owner of the motor vehicle, as shown in the division's or county clerk's records, the owner shall send a written notice to any lien holder and to the owner, if the owner is not the occupant, by verified mail, stating that:

SECTION 4. This act shall take effect July 1, 2020, the public welfare requiring it.