



## SUPPORT CSSB 690 - CARONA SELF-STORAGE BILL

The original Texas Property Code Chapter 59 was created in 1981, and there have been significant changes in information technology since that time. The changes in the bill reflect an effort to update, modernize, and streamline the self-storage laws. CSSB 690 does not alter the requirement to publish public notice in a newspaper.

An important purpose of the bill is to support our armed forces by adding new military language to the required lien notice. In addition, expanding the options for delivery methods (for sending notice of claim) would make it more likely that all self-storage customers would receive notice when a sale involving their stored belongings is pending.

### ACTIVE-DUTY MILITARY CUSTOMERS

**Issue:**

- Need to be able to easily identify active-duty military customers
- Need to ensure that all military customers receive the benefit of already existing federal and state statutory protection

**Solution:**

- Additional military language added to lien notice currently required
- Expands federal SCRA for storage liens to servicemembers of the Texas State Guard and Texas National Guard
- Provides another opportunity to protect military customers under state and federal law

### CONSOLIDATE ALL SELF-STORAGE STATUTES (Texas Property Code 70.004-70.006)

**Issue:**

- Current law has additional statutory requirements for self storage in a separate section for mechanics lien statutes

**Solution:**

- A non-substantive change to separate self-storage lien statutes from the statutes designed for mechanics liens; self-storage statutes would all be contained in one section

### NOTICE TO CUSTOMER WHEN DELINQUENT

**Issue:**

- A large percentage of customers do not accept certified mail, the mailing method currently required by statute
- Need to provide ways to maximize the chances that customers will actually receive the notification

**Solution:**

- Replace the certified mail requirement with the option to send notice one of two ways:
  - Verified mail (any method of mail that provides evidence of mailing), OR
  - Electronic mail at customers' option— increases chances that customer will receive important notices
    - Email notice is a legal option ONLY if lease contains conspicuous language stating that if tenant elects to provide an email address, notice may be given by email
    - Language of bill mirrors Texas Uniform Electronic Transactions Act, which specifies when electronic transmissions are legally considered transmitted, etc.