

1 A bill to be entitled
 2 An act relating to liens on personal property in self-
 3 service storage facilities and self-contained storage
 4 units; amending s. 83.806, F.S.; revising notice
 5 requirements for enforcement of liens by the owner of
 6 the self-service storage facility or self-contained
 7 storage unit; specifying a limit on the value of
 8 property stored in the tenant's storage unit;
 9 authorizing the towing of a vehicle in a storage unit
 10 under certain circumstances; limiting the liability of
 11 the owner of a self-service storage facility or self-
 12 contained storage unit after a vehicle is towed from
 13 such facility or unit; providing an effective date.

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 15 Be It Enacted by the Legislature of the State of Florida:

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 17 Section 1. Subsection (4) of section 83.806, Florida
 18 Statutes, is amended, and subsections (9) and (10) are added to
 19 that section, to read:

20 83.806 Enforcement of lien.—An owner's lien as provided in
 21 s. 83.805 may be satisfied as follows:

22 (4) After the expiration of the time given in the notice,
 23 an advertisement of the sale or other disposition shall be
 24 published once a week for 2 consecutive weeks in a newspaper of
 25 general circulation in the area where the self-service storage
 26 facility or self-contained storage unit is located or posted for
 27 2 consecutive weeks on an Internet website accessible to the
 28 public. Inasmuch as any sale may involve property of more than

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29 | one tenant, a single advertisement may be used to dispose of
30 | property at any one sale.

31 | ~~(a)~~ The advertisement shall include:

32 | (a)1. A brief and general description of what is believed
33 | to constitute the personal property contained in the storage
34 | unit, as provided in paragraph (2) (b).

35 | (b)2. The address of the self-service storage facility or
36 | the address where the self-contained storage unit is located and
37 | the name of the tenant.

38 | (c)3. The time, place, and manner of the sale or other
39 | disposition. The sale or other disposition shall take place not
40 | sooner than 15 days after the first publication.

41 | ~~(b) If there is no newspaper of general circulation in the~~
42 | ~~area where the self-service storage facility or self-contained~~
43 | ~~storage unit is located, the advertisement shall be posted at~~
44 | ~~least 10 days before the date of the sale or other disposition~~
45 | ~~in not fewer than three conspicuous places in the neighborhood~~
46 | ~~where the self-service storage facility or self-contained~~
47 | ~~storage unit is located.~~

48 | (9) If the rental agreement contains a limit on the value
49 | of property stored in the tenant's storage unit, the limit is
50 | deemed to be the maximum value of the property stored in that
51 | unit.

52 | (10) If the personal property is a vehicle and the
53 | vehicle's title is deemed to have no prior lienholder, the owner
54 | of the self-service storage facility or self-contained storage
55 | unit may have the vehicle towed. An owner of a self-service
56 | storage facility or self-contained storage unit is not liable

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57 | for the vehicle or any damages to the vehicle after the wrecker,
58 | tow truck, or car carrier removes the vehicle.

59 | Section 2. This act shall take effect July 1, 2013.