

By the Committee on Judiciary; and Senator Harrell

590-02593-25

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A bill to be entitled
An act relating to self-storage spaces; amending s.
83.803, F.S.; revising the definition of the term
"last known address"; amending s. 83.806, F.S.;
revising the notice requirements of owners of self-
storage units in order to enforce a lien on a tenant's
property; revising the notice requirements for such
owners who wish to sell such tenant's property;
amending s. 83.808, F.S.; requiring that rental
agreements for renters of self-storage units which are
entered into on or after a specified date provide
certain information in compliance with the Florida
Self-storage Facility Act; providing that failure or
refusal of a tenant to designate an alternate contact
does not affect a tenant's or an owner's rights or
remedies; providing an exception; authorizing owners
of a self-storage unit to send notice to certain
tenants' last known address to apprise such tenants of
a specified right; reenacting s. 713.78(2)(b), F.S.,
relating to liens for recovering, towing, or storing
vehicles and vessels, to incorporate the amendment
made to s. 83.806, F.S., in a reference thereto;
providing an effective date.

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

Section 1. Subsection (1) of section 83.803, Florida
Statutes, is amended to read:

83.803 Definitions.—As used in ss. 83.801-83.809:

590-02593-25

2025386c1

(1) "Last known address" means the street address or post office box address provided by the tenant in the latest rental agreement or provided to the owner in accordance with the terms of the rental agreement ~~in a subsequent written change-of-address notice provided by hand delivery, first-class mail, or e-mail.~~

Section 2. Subsections (1) and (4) of section 83.806, Florida Statutes, are amended to read:

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

(1) The owner must notify the tenant and any alternate contact ~~tenant shall be notified~~ by written notice delivered in person, by e-mail, or by first-class mail with a certificate of mailing to the tenant's and, if applicable, the alternate contact's last known addresses ~~address and conspicuously posted at the self-service storage facility or on the self-contained storage unit.~~ If the owner sends notice of a pending sale of property to the tenant's last known e-mail address and does not receive a response, return receipt, or delivery confirmation from the same e-mail address, the owner must send notice of the sale to the tenant by first-class mail with a certificate of mailing to the tenant's last known address before proceeding with the sale.

(4) After the expiration of the time given in the notice, an advertisement of the sale or other disposition must ~~shall~~ be published once a week for 2 consecutive weeks in a newspaper of general circulation in the area where the self-service storage facility or self-contained storage unit is located or posted for 7 consecutive days on a public website that customarily conducts

590-02593-25

2025386c1

59 or advertises personal property auctions or sales.

60 (a) A lien sale may be conducted on a public website that
61 customarily conducts personal property auctions or sales. The
62 facility or unit owner is not required to hold a license to post
63 property for online sale. ~~Inasmuch~~ As any sale may involve
64 property of more than one tenant, a single advertisement may be
65 used to dispose of property at any one sale.

66 (b) The advertisement must ~~shall~~ include:

67 1. A brief and general description of what is believed to
68 constitute the personal property contained in the storage unit,
69 as provided in paragraph (2)(b).

70 2. The address of the self-service storage facility or the
71 address where the self-contained storage unit is located and the
72 name of the tenant.

73 3. The time, place, and manner of the sale or other
74 disposition. The sale or other disposition must ~~shall~~ take place
75 at least 15 days after the first publication.

76 (c) If there is no newspaper of general circulation in the
77 area where the self-service storage facility or self-contained
78 storage unit is located and the owner does not publish the
79 advertisement on a public website that customarily conducts or
80 advertises personal property auctions or sales, the

81 advertisement must ~~shall~~ be posted at least 10 days before the
82 date of the sale or other disposition in at least three
83 conspicuous places in the neighborhood where the self-service
84 storage facility or self-contained storage unit is located.

85 Section 3. Subsection (4) is added to section 83.808,
86 Florida Statutes, to read:

87 83.808 Contracts.—

590-02593-25

2025386c1

88 (4) Rental agreements entered into on or after September 1,
89 2025, must contain a provision that apprises the tenant of the
90 option to designate an alternate contact to receive notices
91 required by the Florida Self-storage Facility Act and must
92 provide space in the agreement to designate the alternate
93 contact.

94 (a) Failure or refusal of a tenant to designate an
95 alternate contact does not affect a tenant's or an owner's
96 rights or remedies under this section or under any other law.
97 The alternate contact, if any, may not have any rights to access
98 the tenant's storage space at a self-service storage facility or
99 the tenant's self-contained storage unit or the personal
100 property contained therein unless expressly stated otherwise in
101 the rental agreement.

102 (b) For rental agreements entered into before September 1,
103 2025, an owner may send notice to the tenant's last known
104 address to apprise the tenant of his or her right to designate
105 an alternate contact by the method specified by the owner in the
106 notice.

107 Section 4. For the purpose of incorporating the amendment
108 made by this act to section 83.806, Florida Statutes, in a
109 reference thereto, paragraph (b) of subsection (2) of section
110 713.78, Florida Statutes, is reenacted to read:

111 713.78 Liens for recovering, towing, or storing vehicles
112 and vessels.—

113 (2)

114 (b) If a towing-storage operator recovers, removes, or
115 stores a vehicle or vessel upon instructions from:

116 1. The owner thereof;

590-02593-25

2025386c1

117 2. The owner or lessor, or a person authorized by the owner
118 or lessor, of property on which such vehicle or vessel is
119 wrongfully parked, and the removal is done in compliance with s.
120 715.07;

121 3. The landlord or a person authorized by the landlord,
122 when such vehicle or vessel remained on the premises after the
123 tenancy terminated and the removal is done in compliance with s.
124 83.806 or s. 715.104; or

125 4. Any law enforcement agency, county, or municipality,
126
127 she or he has a lien on the vehicle or vessel for fees specified
128 in paragraph (a), except that a storage fee may not be charged
129 if the vehicle or vessel is stored for less than 6 hours.

130 Section 5. This act shall take effect July 1, 2025.