

BILL ANALYSIS

H.B. 1093
By: Lambert
Trade, Workforce & Economic Development
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The author has informed the committee that self-service storage facility owners have called for legislation to modify the requirements for storage unit lien sales. Under current law, a self-service storage facility must attempt to notify the tenant of an abandoned storage unit in person or by email or verified mail to the tenant's last known email or postal address. If not claimed, the facility must then advertise the sale of the unit in a newspaper of general circulation in the county where the facility is located. If the county does not have a newspaper, physical advertisements of the sale must be posted near the facility.

Print newspapers are no longer the only effective way to notify the public of the sale, and other methods should be permitted. H.B. 1093 seeks to give facility owners the option to advertise these sales on a publicly accessible website or by other commercially reasonable methods.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1093 amends the Property Code to revise notice requirements for a sale of property to enforce a self-service storage facility lien. The bill gives the lessor of such a facility the options of advertising the sale in the following manners as alternatives to publishing the notice in an applicable newspaper:

- publishing notice advertising the sale on a publicly accessible website that regularly advertises or conducts auctions of personal property; or
- giving such notice in a commercially reasonable manner.

The bill removes the requirement that a notice published in a newspaper be published once in each of two consecutive weeks.

H.B. 1093 incorporates these alternative notice options into procedures for the seizure and sale of the property accordingly and, with respect to notice given in a commercially reasonable manner, prohibits the lessor from selling the tenant's property until the 10th day after the date the notice advertising the sale is given. For purposes of advertising the sale, notice is considered to be given in a commercially reasonable manner if at least three independent bidders register for, view, or attend the sale, regardless of whether the sale is conducted at the self-service storage facility or a reasonably near public place or through a publicly accessible website.

H.B. 1093 applies only to a self-service storage facility rental agreement entered into, extended, or renewed on or after the bill's effective date. Such an agreement entered into, extended, or renewed before the bill's effective date is governed by the law as it existed immediately before that date, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2025.