

SENATE BILL 438

I4

(6lr2438)

ENROLLED BILL
— *Finance/Economic Matters* —

Introduced by **Senators Jackson and Hershey**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Commercial Law – Self-Service Storage Facilities – Alterations**

3 FOR the purpose of providing for the use of an electronic rental agreement in the rental of
4 self-service storage facilities; prohibiting an occupant from using the occupant's
5 self-service storage facility beyond the term of a rental agreement after delivery of
6 a notice of nonrenewal; requiring an operator to give an occupant a certain number
7 of days after delivery of a notice of nonrenewal to remove the occupant's personal
8 property from the self-service storage facility; authorizing an operator to dispose of
9 an occupant's remaining personal property after a certain amount of time has
10 elapsed; requiring an operator to give an occupant notice of intent to dispose of the
11 occupant's personal property a certain number of days before the operator disposes
12 of that personal property; requiring an operator to include a certain statement in a
13 rental agreement concerning the removal of personal property from the self-service
14 storage facility after nonrenewal of the rental agreement; and generally relating to
15 self-service storage facilities.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, with amendments,
2 Article – Commercial Law
3 Section 18–501 ~~and~~, 18–502, and 18–503
4 Annotated Code of Maryland
5 (2025 Replacement Volume)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
7 That the Laws of Maryland read as follows:

8 **Article – Commercial Law**

9 18–501.

- 10 (a) In this subtitle the following words have the meanings indicated.
- 11 (b) “Default” means the failure to perform on time any obligation or duty set forth
12 in the rental agreement.
- 13 (c) “Last known address” means that address or electronic mail address provided
14 by the occupant in the rental agreement or the address or electronic mail address provided
15 by the occupant in a subsequent written notice of a change of address.
- 16 (d) “Leased space” means the individual storage space at the self–service facility
17 which is rented to an occupant pursuant to a rental agreement.
- 18 (e) “Occupant” means a person, a sublessee, successor, or assign, entitled to the
19 use of a leased space at a self–service storage facility under a rental agreement.
- 20 (f) (1) “Operator” means the owner, operator, lessor, or sublessor of a
21 self–service storage facility, an agent, or any other person authorized to manage the facility.
- 22 (2) “Operator” does not include a warehouseman, unless the operator
23 issues a warehouse receipt, bill of lading, or other document of title for the personal
24 property stored.
- 25 (g) (1) “Personal property” means movable property, not affixed to land.
- 26 (2) “Personal property” includes goods, wares, merchandise, motor
27 vehicles, watercraft, and household items and furnishings.
- 28 (h) “Rental agreement” means any written **OR ELECTRONIC** agreement that
29 establishes or modifies the terms, conditions, or rules concerning the use and occupancy of
30 a self–service storage facility.

1 (i) “Self-service storage facility” means any real property used for renting or
2 leasing individual storage spaces in which the occupants themselves customarily store and
3 remove their own personal property on a “self-service” basis.

4 (j) “Verified mail” means any method of mailing that is offered by the United
5 States Postal Service or private delivery service that provides evidence of mailing.

6 18-502.

7 (a) An operator may not knowingly permit a leased space at a self-service storage
8 facility to be used for residential purposes.

9 (b) An occupant may not use a leased space for residential purposes.

10 (c) **(1) EXCEPT AS PROVIDED IN ~~SUBSECTION~~ SUBSECTIONS (D) AND (E)**
11 **OF THIS SECTION, AN OCCUPANT MAY NOT USE A SELF-SERVICE STORAGE FACILITY**
12 **BEYOND THE TERM OF A RENTAL AGREEMENT AFTER THE OPERATOR OR OCCUPANT**
13 **HAS DELIVERED IN PERSON, BY E-MAIL, OR BY VERIFIED MAIL WRITTEN NOTICE OF**
14 **THE NONRENEWAL OF THE RENTAL AGREEMENT.**

15 **(2) IF AN OPERATOR NOTIFIES THE OCCUPANT OF THE NONRENEWAL**
16 **BY E-MAIL AT THE OCCUPANT’S LAST KNOWN E-MAIL ADDRESS AND DOES NOT**
17 **RECEIVE A RESPONSE SENT FROM THE OCCUPANT’S E-MAIL ADDRESS OR A**
18 **CONFIRMATION OF DELIVERY WITHIN 5 DAYS AFTER DELIVERY, THE OPERATOR**
19 **SHALL PROMPTLY SEND A SECOND NOTICE OF NONRENEWAL TO THE OCCUPANT BY**
20 **VERIFIED MAIL TO THE OCCUPANT’S LAST KNOWN POSTAL ADDRESS.**

21 (d) THE OPERATOR SHALL PROVIDE THE OCCUPANT WITH NOT LESS THAN
22 30 DAYS AFTER DELIVERY OF THE NOTICE OF THE NONRENEWAL OF THE RENTAL
23 AGREEMENT AND AT LEAST UNTIL THE END OF THE TERM OF THE RENTAL
24 AGREEMENT TO REMOVE ALL PERSONAL PROPERTY FROM THE SELF-SERVICE
25 STORAGE FACILITY.

26 (e) (1) THE OPERATOR MAY NOT DISPOSE OF ANY PERSONAL PROPERTY
27 REMAINING AT THE SELF-SERVICE STORAGE FACILITY ~~10-DAYS UNTIL~~ AFTER THE
28 TIME ALLOTTED UNDER SUBSECTION (D) OF THIS SECTION AND PARAGRAPH (2) OF
29 THIS SUBSECTION HAS ELAPSED.

30 (2) ~~AT~~ AFTER THE TIME ALLOTTED UNDER SUBSECTION (D) OF THIS
31 SECTION HAS ELAPSED AND AT LEAST 10 DAYS BEFORE DISPOSING OF THE
32 PERSONAL PROPERTY REMAINING AT THE SELF-SERVICE STORAGE FACILITY, THE
33 OPERATOR SHALL DELIVER IN PERSON, BY E-MAIL, OR BY VERIFIED MAIL A NOTICE
34 OF INTENT TO DISPOSE OF THE OCCUPANT’S PROPERTY.

1 **(3) IF AN OPERATOR NOTIFIES THE OCCUPANT OF THE INTENT TO**
2 **DISPOSE OF THE PROPERTY BY E-MAIL AT THE OCCUPANT'S LAST KNOWN E-MAIL**
3 **ADDRESS AND DOES NOT RECEIVE A RESPONSE SENT FROM THE OCCUPANT'S**
4 **E-MAIL ADDRESS OR A CONFIRMATION OF DELIVERY WITHIN 5 DAYS AFTER**
5 **DELIVERY, THE OPERATOR SHALL PROMPTLY SEND A SECOND NOTICE OF INTENT**
6 **TO DISPOSE TO THE OCCUPANT BY VERIFIED MAIL TO THE OCCUPANT'S LAST KNOWN**
7 **POSTAL ADDRESS.**

8 18-503.

9 (a) The operator of a self-service storage facility has a lien on all personal
10 property stored within each leased space for rent, labor, or other charges, and for expenses
11 reasonably incurred in its sale, as provided in this subtitle.

12 (b) The rental agreement shall contain a statement, in bold type, advising the
13 occupant:

14 (1) Of the existence of the lien;

15 (2) That personal property stored in the leased space may be sold to satisfy
16 the lien if the occupant is in default;

17 (3) That personal property stored in the leased space may be towed or
18 removed from the self-service storage facility if:

19 (i) The personal property is a motor vehicle or watercraft; and

20 (ii) The occupant is in default for more than 60 days; ~~and~~

21 (4) That a sale of personal property stored in the leased space to satisfy the
22 lien if the occupant is in default shall be advertised:

23 (i) In a newspaper of general circulation in the jurisdiction where
24 the sale is to be held;

25 (ii) By electronic mail; or

26 (iii) On an online website; **AND**

27 **(5) THAT IF THE OPERATOR DOES NOT RENEW THE RENTAL**
28 **AGREEMENT, THE OPERATOR SHALL, IN ACCORDANCE WITH § 18-502 OF THIS**
29 **SUBTITLE, DELIVER WRITTEN NOTICE ADVISING THE OCCUPANT TO REMOVE ALL**
30 **PERSONAL PROPERTY FROM THE SELF-SERVICE STORAGE FACILITY BY THE DATE**
31 **STATED IN THE NOTICE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2026.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.