

MD - letter of support - SB 438.pdf

Uploaded by: Daniel Bryant

Position: FAV



February 9, 2026

Via electronic mail

The Honorable Pamela Beidle
Chair, Finance Committee
Maryland State Senate
3 East Miller Senate Office Building
Annapolis, Maryland 21401

RE: Senate Bill 438 (Sens. Carl Jackson and Stephen Hershey, Jr.)

Dear Chair Pamela Beidle, Vice Chair Hayes, and Members of the Senate Finance Committee:

The Self Storage Association and Maryland Self Storage Association (collectively, “the Associations”) respectfully request your support for SB 438¹ to modernize the *Maryland Self-Service Storage Act*.² SB 438 would update the statute to reflect current operational realities and address current gaps within the statutory framework. Many of the provisions of the proposed bill have already been adopted in other states like California, Delaware, Pennsylvania, and Illinois. **The proposed language changes in SB 438 to present Maryland law were worked on and agreed upon with the Maryland Office of the Attorney General – Consumer Protection Division.**

I. Introduction to Self Storage

By way of background, in self storage the operator and tenant have a commercial landlord-tenant relationship. A broad swath of consumers use self storage for a variety of reasons. Once a unit size is selected, a consumer signs the rental agreement, the contract that governs the relationship between the operator and the tenant. All rental agreements are month-to-month tenancies that renew only upon the mutual desire of both parties. In other words, tenants can simply vacate if they are unable or unwilling to pay for the leased space. Most tenancies are successful for both parties; goods are stored, and rent is paid timely.

¹ See <https://legiscan.com/MD/bill/SB438/2026>

² *Maryland Self-Service Storage Act*. (§§ 18-501 — 18-506).

Forty-nine states, including Maryland, have a self storage laws.³ All self storage laws provide a comprehensive process for addressing situations in which self storage tenants fail to pay their rent. However, SB 438 is intended to address a few gaps in the existing statutory scheme as outlined in more detail below.

I. Electronic Delivery and Acceptance

First, the legislation confirms that self storage rental agreements may be delivered and accepted electronically. This is settled law in Maryland⁴ but it is not completely clear in the storage act. This amendment confirms its already existing application to self storage rental agreements as follows:

(h) “Rental agreement” means any written **OR ELECTRONIC** agreement that establishes or modifies the terms, conditions, or rules concerning the use and occupancy of a self-service storage facility.

II. Disposition of Property After Termination or Nonrenewal of Rental Agreement

Second, the proposed legislation would provide a process for handling property left at the facility following the termination or nonrenewal of the rental agreement by either the occupant or operator. These clarifying amendments would make that section of Maryland law like Pennsylvania,⁵ California,⁶ Delaware,⁷ and Illinois.⁸

Importantly, this provision is not intended to upend the existing process to deal with nonpayment issues. That entire section of the law remains intact and operative. This proposed amendment is intended to address a different issue that the law currently does not address, namely nonmonetary defaults, or the failure by the occupant to comply with core provisions of the rental agreement outside of the payment obligation.

For example, an occupant may use the storage facility for illicit purposes such as storage and/or production of illicit substances. This activity is expressly prohibited in the rental agreement. Currently, the operator is within their rights to send that individual a notice of termination or nonrenewal for the failure to comply with the rental agreement. The issue occurs if that occupant does not voluntarily comply with the notice by removing the occupant’s property. Since there is no underlying debt obligation in the hypothetical, the current law does not provide the operator with any assistance to address the issue. In other words, there is no remedy attached to the right. This proposed amendment would fix that.

³ Alaska is the last remaining U.S. state without a Self Storage Act.

⁴ See *Maryland Uniform Electronic Transactions Act*. (§§ 21-101 — 21-120).

⁵ See <https://legiscan.com/PA/bill/SB1359/2025>.

⁶ Cal Bus & Prof Code § 21712.4.

⁷ 25 Del. C. § 4904(m).

⁸ 770 ILCS 95/7.

Additionally, this amendment would also address the issue wherein the occupant provides the owner with the notice of their intention to vacate but does not timely remove all their belongings from the unit. This would provide a direct path for owners to handle those situations as well.

As noted above, nearly identical provisions not only passed the California, Delaware, and Illinois legislatures but did so without one “no” vote at either the committee level or on the floor as noted below:

California:

Voting Records

Chamber	Vote	Date	Yea	Nay	NV	Abs	Total	Result
Assembly	AB 1916 Maienschein Concurrence in Senate Amendments	2024-06-17	74	0	0	5	79	Passed
Senate	Consent Calendar 2nd AB1916 Maienschein	2024-06-13	37	0	0	3	40	Passed
Senate	Do pass as amended, and be ordered to the Consent Calendar	2024-06-04	11	0	0	0	11	Passed
Assembly	AB 1916 Maienschein Consent Calendar Second Day Regular Session	2024-03-18	74	0	0	6	80	Passed
Assembly	Do pass. To Consent Calendar	2024-03-12	10	0	0	2	12	Passed

Delaware:

Voting Records

Chamber	Vote	Date	Yea	Nay	NV	Abs	Total	Result	Source	View
Senate	Senate Third Reading	2025-06-30	21	0	0	0	21	Passed	Link	View
House	House Third Reading	2025-06-26	39	0	1	0	40	Passed	Link	View
Senate	Senate Third Reading	2025-06-10	18	0	0	3	21	Passed	Link	View

Illinois:

Voting Records

Chamber	Vote	Date	Yea	Nay	NV	Abs	Total	Result
House	Third Reading in House	2024-05-20	106	0	2	0	108	Passed
Senate	Third Reading in Senate	2024-04-12	59	0	0	0	59	Passed

Additionally, Arkansas,⁹ Georgia,¹⁰ Kansas,¹¹ Idaho,¹² Maine,¹³ Tennessee,¹⁴ and Utah¹⁵ all have similar provisions currently in law. Similar legislation is currently being considered in Massachusetts.

⁹ See <https://legiscan.com/AR/bill/SB1652/2025>.

¹⁰ O.C.G.A. § 10-4-218 (b)(c).

¹¹ K.S.A. 58-817a.

¹² Idaho Code § 55-2306(7)(b).

¹³ See <https://legislature.maine.gov/LawMakerWeb/dockets.asp?ID=280098051>.

¹⁴ See <https://legiscan.com/TN/bill/SB0559/2025>

¹⁵ Utah Code Ann. § 38-8-3 (2)(a)(b)(c).

III. Conclusion

The Associations respectfully request your support for SB 438 to update and modernize the *Maryland Self-Service Storage Act*. Thank you for your consideration.

Respectfully submitted,

Daniel Bryant

Daniel T. Bryant
Legal & Legislative Counsel
Self Storage Association

cc: The Honorable Carl Jackson, Senator District 8, Baltimore County
The Honorable Stephen S. Hershey, Jr., Senator District 36, Caroline, Cecil, Kent & Queen
Anne's Counties
Bruce Bereano, Office of Bruce Bereano, Annapolis, Maryland

SB 438 - CPD - Storage Facilities - Letter of Info

Uploaded by: Steve Sakamoto-Wengel

Position: INFO



CAROLYN A. QUATTROCKI
Chief Deputy Attorney General

LEONARD J. HOWIE III
Deputy Attorney General

CARRIE J. WILLIAMS
Deputy Attorney General

SHARON S. MERRIWEATHER
Deputy Attorney General

ZENITA WICKHAM HURLEY
Deputy Attorney General

**STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL
CONSUMER PROTECTION DIVISION**

ANTHONY G. BROWN
Attorney General

WILLIAM D. GRUHN
Division Chief

STEVEN M. SAKAMOTO-WENGEL
*Executive Counsel to the
Attorney General*

PETER V. BERNS
General Counsel

CHRISTIAN E. BARRERA
Chief Of Staff

February 19, 2026

TO: The Honorable Pam Beidle, Chair
Finance Committee

FROM: Steven M. Sakamoto-Wengel
Executive Counsel to the Attorney General

RE: Senate Bill 438 – Commercial Law – Self-Service Storage Facilities –
Alterations -- LETTER OF INFORMATION

The Consumer Protection Division states the following with respect to Senate Bill 438, sponsored by Senators Jackson and Hershey, which would establish timelines and notice requirements for the removal of personal property in the event a lease for a unit at a self-service storage facility is not renewed. The Division appreciates that, during the interim, the Self-Storage Association presented it with proposed amendments to the law governing Self-Storage Facilities in order to obtain the Division's feedback on those proposals. The Division appreciates the Self-Storage Association's willingness to take the Division's concerns into account and confirms that Senate Bill 438 reflects the language agreed upon between the Division and the Association following extensive discussions. Please feel free to contact me if I can provide further information to the Finance Committee.

cc: The Honorable Carl Jackson
The Honorable Stephen S. Hershey, Jr.
Members, Finance Committee