

**SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION**

S.F. No. 3727

(SENATE AUTHORS: HOUSLEY)

DATE
03/03/2022

D-PG

Introduction and first reading
Referred to Civil Law and Data Practices Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to commerce; changing publication requirements relating to personal
1.3 property in self-storage; amending Minnesota Statutes 2021 Supplement, section
1.4 514.973, subdivision 4.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2021 Supplement, section 514.973, subdivision 4, is amended
1.7 to read:

1.8 Subd. 4. **Sale of property.** (a) A sale of personal property may take place no sooner
1.9 than 45 days after default or, if the personal property is a motor vehicle or watercraft, no
1.10 sooner than 60 days after default.

1.11 (b) After the expiration of the time given in the notice, the sale must be published once
1.12 ~~a week for two weeks consecutively~~ in a newspaper of general circulation where the sale
1.13 is to be held or on an independent, publicly accessible website that advertises self-storage
1.14 lien sales or public notices. The sale may take place no sooner than ~~15~~ ten days after the
1.15 first date of publication. ~~If the lien is satisfied before the second publication occurs, the~~
1.16 ~~second publication is waived. If there is no qualified newspaper under chapter 331A where~~
1.17 ~~the sale is to be held, the advertisement may be posted on an independent, publicly accessible~~
1.18 ~~website that advertises self-storage lien sales or public notices.~~ The advertisement must
1.19 include a general description of the goods, the name of the person on whose account the
1.20 goods are being held, and the time and place of the sale.

1.21 (c) A sale of the personal property must conform to the terms of the notification.

1.22 (d) A sale of the personal property must be public and must be either:

2.1 (1) held via an online auction; or

2.2 (2) held at the storage facility, or at the nearest suitable place at which the personal
2.3 property is held or stored.

2.4 Owners shall require all bidders, including online bidders, to register and agree to the rules
2.5 of the sale.

2.6 (e) The sale must be conducted in a commercially reasonable manner. A sale is
2.7 commercially reasonable if the property is sold in conformity with the practices among
2.8 dealers in the property sold or sellers of similar distressed property sales.