

HOUSE BILL NO. HB0075

Public storage unit liens.

Sponsored by: Representative(s) Zwonitzer, Dv. and Gingery
and Senator(s) Anderson, J.D. (SD02)

A BILL

for

1 AN ACT relating to personal property liens; requiring a
2 public sale for enforcement of a lien upon the contents of
3 self-storage units; providing that a self-storage unit
4 remain sealed until the public sale, as specified;
5 providing for the delivery or retention of excess sale
6 proceeds as specified; and providing for an effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 29-7-107 is created to read:

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12 **29-7-107. Special provision as to self-storage**
13 **operations.**

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15 (a) Notwithstanding W.S. 29-7-105(b), enforcement of
16 a lien on the contents of a unit in a public self-storage

1 operation upon the lessee's default shall only be by public
2 sale at the self-storage facility.

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4 (b) A self-storage unit lessor, upon default in the
5 terms of the self-storage lease agreement that authorizes
6 enforcement of a lien by the lessor, may retain possession
7 of the storage unit contents by sealing the storage unit
8 with an overlock device that prevents access by any person
9 until the default is cured or until the date of the public
10 sale of the property. The lessor shall not otherwise
11 inventory the contents, enter the unit for any purpose or
12 remove its contents until the public sale, unless pursuant
13 to a lawful search warrant or other order issued by a
14 court. The overlock device may be removed and the unit
15 opened for inspection by prospective bidders not more than
16 one (1) hour before the scheduled public sale.

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18 (c) If the proceeds of a lien enforcement sale of a
19 self-storage unit's contents are greater than the amount of
20 the lien and the reasonable expenses of the sale, the
21 lessor shall deliver written notice of the excess to the
22 lessee's last known address as stated in the rental
23 agreement or in a written notice from the lessee to the
24 lessor furnished after the execution of the rental

1 agreement. The lessor shall retain the excess and deliver
2 it to the lessee upon request made before two (2) years
3 after the date of the sale. The lessor may retain the
4 excess proceeds and the lessee shall be deemed to have
5 waived any claim if the lessee does not request delivery of
6 the excess before two (2) years after the date of the sale.

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8 **Section 2.** This act is effective July 1, 2013.

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(END)