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Wisconsin State Representative • 64th Assembly District

March 14, 2018

Senate Committee on Insurance, Financial Services, Constitution and Federalism
Assembly Bill 469/Senate Bill 555: Self Storage Law Modernization
Representative Peter Barca

Chairman Craig and members of the Senate Committee on Insurance, Financial Services, Constitution and Federalism, thank you for holding a public hearing on Assembly Bill 469 and Senate Bill 555, which attempt to modernize the laws governing the state's self storage industry. I am happy to be joined in this effort by a bipartisan group of legislators in both houses. The bill passed the Assembly unanimously in January and we hope the same will be true in the Senate this month.

Self storage facilities offer an opportunity for individuals to safely house and protect their belongings when they need a location to store them. In addition to those who simply have a need to store excess items, people frequently rent units when they are moving into a new home, getting married or around other life events. The self storage operators themselves are often local, family-run small businesses.

I have worked with the state's Self Storage Association on this legislation, which is intended to keep up with changes in technology and modify our laws based on the experience of facilities in Wisconsin and other states.

The state's self storage regulations in large part govern the process of enforcing liens on items being stored when a renter fails to pay their rent or respond to notices. This proposal allows a facility operator to send late notices via e-mail rather than mail, provided that the e-mail confirms the receipt of the notice. The bill also expressly allows a lien sale to take place over the internet, provided it takes place on a website likely to produce bidders.

Rather than sending any proceeds resulting from a lien sale to Department of Revenue, this bill requires a facility operator to first attempt to return any funds to the former renter.

Based on similar laws in other states, the bill allows for a sale to be postponed due to inclement weather as long as appropriate notice has been provided. It also provides for a standardized process to tow vehicles of renters who fail to pay their rent and don't make arrangement for self-removal. Additionally, the bill allows a facility owner to impose late fees after five days rather than five business days, and clarifies that all rent and charges must be paid before a renter can redeem their property.

While the initial legislation also included provisions offering limited insurance by facility operators and modified the newspaper advertisement description requirement, I met with key stakeholders to amend the proposal and all concerns on the bill were withdrawn.

I had authored the legislation to establish a lien law for Wisconsin self storage owners in my previous tenure in the legislature. That law developed the first structured process for these types of facilities modeled after many of the same processes used by apartment owners. An earlier bipartisan amendment to these laws that I also authored passed both houses unanimously as 2009 Act 380.

Thank you for your time today and I hope we can count on your support both in committee and on the Senate floor to concur in the actions of the Assembly and send this legislation to the governor for approval.

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SSA / State SSA Legislative Activity 2007-2017

	Total Population	Total Features	Loan 1st class v. Cert	Loan Newspaper circulation	Loan Vehicle	Loan Email Notification	Contractual Value Limitation	\$20 / 20% Late fee	Online Audits	Other	Tenant Insurance	Sales Tax
1	Texas 26,957,000	4,987	2011						2017			
2	California 38,803,000	4,238	2009/2010		2014			In place	2017			
3	Florida 19,883,000	2,824	2012		2017				2017			
4	North Carolina 9,944,000	1,990	2010		2010			2013/15/16	2013			2018/2019 (checked)
5	Ohio 11,594,000	1,839	2012		2010			2012				2018/2019 (checked)
6	Pennsylvania 12,887,000	1,718	2014		2016			2014				
7	Georgia 10,087,243	1,717	2013		2015			2014				
8	Illinois 12,881,000	1,874	2011		2011			2011				2017 (checked)
9	Michigan 9,910,000	1,880	2009		2014			2014				2017 (checked)
10	New York 18,748,000	1,507										
11	Washington 7,082,000	1,388	2015		2018			2015				
12	Missouri 6,084,000	1,373	2014		2014			2014				
13	Tennessee 6,848,000	1,335	2011		2011			2011				
14	Wisconsin 5,780,000	1,271	2010		2016			2010				
15	Indiana 6,897,000	1,290	2014		2014			2014				
16	Virginia 8,328,000	1,157	2015									2014 (checked)
17	Alabama 4,849,000	1,095										
18	Colorado 5,359,000	1,039	2011		2011			2011				2017
19	Louisiana 4,660,000	1,000	2016		2016			2016				
20	Oklahoma 3,880,000	999										
21	Arizona 6,731,000	911	2009		2008			2008				
22	South Carolina 4,882,000	893	2014		2014			2014				
23	Minnesota 5,480,000	830	2014		2014			2014				
24	Arkansas 2,968,000	857	2011		2017							
25	Oregon 3,970,000	823	2013		2013			2013				
26	New Jersey 8,838,000	744	2013		2018			2013				
27	Kansas 2,900,000	699	2012		2012			2012				
28	Kentucky 4,410,000	695	2014		2014			2014				2017
29	Mississippi 2,940,000	671	2014		2014			2014				2017 (checked)
30	Utah 2,943,000	597	2013		2013			2013				
31	Iowa 3,107,000	587										
32	Maryland 5,878,000	593	2013		2013			2013				
33	Massachusetts 6,745,000	581	2014		2014			2014				2017 (checked)

