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DIGEST

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SB 165 Reengrossed

2026 Regular Session

Abraham

Present law provides for the regulation of self-service storage facilities.

Present law provides for definitions.

Proposed law retains present law and defines the term "default" and revises the definition of "rental agreement" to clarify that a rental agreement may be delivered and accepted electronically.

Present law provides that a lessee of a self-storage unit shall be given a notice of privilege before enforcement of the privilege by an owner. Provides that notification of the privilege is satisfied by either inclusion on an executed written agreement or by written notification sent to the lessee via verified mail to the lessee's last known address, by electronic mail to the lessee's primary and secondary email addresses listed in the rental agreement, and by text message to the lessee's wireless telecommunications device if listed in the rental agreement.

Proposed law retains present law requiring delivery of notice of privilege by verified mail to the lessee's last known address and provides that delivery by electronic mail shall be delivered to an email address provided by the lessee and listed in the rental agreement.

Present law provides that if an owner of a self-storage unit does not have a written rental agreement that includes a notice of the privilege, he shall not initiate an enforcement action until 30 days after the written notice of privilege is mailed to the lessee.

Proposed law maintains the requirement that an owner without a written rental agreement containing a notice of privilege may not initiate enforcement until 30 days after written notice is sent to the lessee.

Present law provides that in the event of a default by a lessee, the owner of a self-service storage facility has the option to enforce judicially all of his rights under the rental agreement, including, if the agreement so provides, his right to accelerate all rentals that will become due in the future for the full term of the lease or to cancel the lease and enforce his privilege for the debt due him.

Present law provides that to cancel the lease and enforce the privilege for debt due him, the owner shall compile a list of the property subject to the privilege, provide notice to the lessee that he intends to enforce his privilege, and advertise the sale or other disposition of the property subject to the privilege.

Proposed law retains present law and changes delivery of notice to verified mail to the last known address of the lessee and by electronic mail to the email address listed in the rental agreement.

Present law requires the advertisement of the sale or other disposition of movable property subject to the privilege to be published on at least one occasion in a newspaper of general circulation where the self-service storage facility is located on a publicly accessible website that conducts personal property auctions.

Proposed law retains present law except requires the publicly accessible website to regularly advertise and conduct personal property auctions or sales.

Present law provides that the owner may tow certain movable property when rent and other charges remain unpaid for 60 days.

Proposed law removes present law requirement that rent and other charges are unpaid for 60 days and allows the owner to tow certain movable property when the lessee is in default for 60 days.

Proposed law requires that written notice of termination be delivered to the lessee and provides that the notice shall include all of the following information:

- (1) Lessee shall have 15 days to remove personal property from the self-service storage.
- (2) The owner may limit access to the self-storage facility to the owner's posted office hours.
- (3) Failure of the lessee to remove all personal property shall constitute a default of the rental agreement by the lessee.

Proposed law provides that upon default of the lessee, the owner may assert a lien privilege on any personal property remaining at the self-service storage facility and may enforce the lien by sale or public auction as provided in present law except the advertisement requirement.

Proposed law provides that upon nonrenewal of a lease, any personal property remaining 15 days after expiration of the rental agreement is deemed abandoned and may be disposed of by the owner without notice.

Effective August 1, 2026.

(Amends R.S. 9:4757, 4758.1(A)(2) and (B), 4759(3), (5)(a), and (9); adds R.S. 9:4759.1 and 4759.2)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Allows owner to tow certain movable property if the lessee is in default for 60 days.
2. Removes provisions relative to the effect of an unsigned rental agreement.
3. Makes technical changes.

Senate Floor Amendments to engrossed bill

1. Allows owners or operators of a self-service storage facility to limit access to a lessee who is in default, to the owner's posted business hours.
2. Makes technical changes.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the reengrossed bill:

1. Make technical changes.
2. Amend provision that an owner of a self-storage facility who does not have a written rental agreement with a storage renter that includes a notice of the owner's privilege on the property in the storage unit as security for rent payments may not initiate an enforcement action for a certain period, from 30 days after the notice of that privilege is delivered to the lessee to 30 days after that notice is sent to the lessee.