

KANSAS OFFICE of
REVISOR of STATUTES

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MEMORANDUM

To: Chairman Tarwater and House Committee on Commerce, Labor and Economic Development

From: Charles Reimer, Office of Revisor of Statutes

Date: 1/25/2023

Subject: HB 2042

HB 2042 amends K.S.A. 2022 Supp. 58-817 to permit operators of self-storage units to have motor vehicles, trailers, or watercraft stored at their facility towed when the occupant of the storage space is in default for a period of more than 45 days.

The self-storage unit operator must give the same warning notice to the occupant prior to towing the property as currently required prior to a sale of an occupant's property. The occupant may avoid a tow, just as a sale, by paying the amount necessary to satisfy the operator's lien at any time before the tow.

The bill provides that operators will not be liable for any damages to the motor vehicle, watercraft, or trailer after the towing service takes possession, if the towing service has a certificate of public service from the state corporation commission. Towing is to be in compliance with any city or county ordinances. The operator's lien is extinguished when the property is towed.

If passed, the bill would become effective July 1, 2024.