HOUSE DOCKET, NO. 3190 FILED ON: 1/18/2013

HOUSE . . . . . No. 326

The Commonwealth of Massachusetts

PRESENTED BY:

Joseph F. Wagner

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to improving notice requirements for self storage.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Joseph F. Wagner	*8th Hampden*

HOUSE DOCKET, NO. 3190 FILED ON: 1/18/2013

HOUSE . . . . . No. 326

By Mr. Wagner of Chicopee, a petition (accompanied by bill, House, No. 326) of Joseph F. Wagner for legislation to improve notice requirements for self storage. Economic Development and Emerging Technologies.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *161* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act relative to improving notice requirements for self storage.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 1 of Chapter 105A, as appearing in the 2008 Official Edition, is hereby amended by inserting the following three new definitions:-

“Electronic mail”, an electronic message or an executable program or computer file that contains an image of a message transmitted between two or more computers or electronic terminals and includes electronic messages that are transmitted within or between computer networks from which a confirmation of receipt is received.

"Electronic mail address", means a destination, commonly expressed as a string of characters, consisting of a unique user name or mailbox (commonly referred to as the “local part”) and a reference to an Internet domain (commonly referred to as the “domain part”), whether or not displayed, to which an electronic mail message can be sent or delivered.

"Verified mail" means any method of mailing that is offered by the United States Postal Service and that provides evidence of mailing.

SECTION 2. Section 1 of Chapter 105A, as so appearing, is hereby amended, in lines 25, 26 and 27, by inserting, after the word “address” in each occurrence, the following words: “or electronic mail address”

16 SECTION 3. Section 3 of said Chapter 105A, as so appearing, is hereby amended at the
17 end thereof, by inserting the following sentence:- “If the rental agreement contains a limit on the
18 value of property stored in the lessee's storage space, the limit shall be presumed to be the
19 maximum value of the property stored in that space.”

20 SECTION 4. Section 4, subsection 1, of Chapter 105A, as so appearing, is hereby
21 amended by inserting, in line 6, after the words “regular mail”, the following words:- “or
22 electronic mail”

23 SECTION 5. Section 4, subsection 2, of said chapter, as so appearing, is hereby amended
24 by striking the words “certified mail, return receipt requested” and inserting in place thereof, the
25 following words:- “verified mail”

26 SECTION 6. Section 4, subsection 2, of Chapter 105A, as so appearing, is hereby
27 amended by inserting, in line 10, after the words “to be notified”, the following words:- “, by
28 electronic mail to the last known electronic mail address of any person to be notified,”

29 SECTION 7. Section 4 of Chapter 105A, as so appearing, is hereby amended by striking
30 out the subsection (4) in its entirety and inserting the following new subsection in place thereof:-
31 “(4) After the expiration of the time given in the notification, an advertisement of the sale must
32 be published once a week for two consecutive weeks on a publicly accessible website identified
33 in the rental agreement. The advertisement must include a description of the property, the name
34 of the person on whose account they are being held, and the time and place of the sale. The sale
35 must take place at least fifteen days after the first publication.”

36 SECTION 8. Section 6 of Chapter 105A, as so appearing, is hereby amended by deleting,
37 in line 2, the words “certified mail” and by inserting the following new words:- “verified mail or
38 electronic mail”.

39 SECTION 9. Section 6 of Chapter 105A, as so appearing, is hereby amended by deleting,
40 in line 6, the word “certified” and by inserting the following new words:- “electronic”