

SENATE BILL 2690

By Haynes

AN ACT to amend Tennessee Code Annotated, Section 66-31-105, relative to notice of sale requirements for storage unit owners.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 66-31-105(2), is amended by adding the following language as new subdivision (H) and by redesignating the subsequent subdivisions accordingly:

(H) In addition to the notice of sale requirements set forth in subdivision (G) of this subdivision, the owner shall post on Internet auction sites or Internet sites that feature classified advertisements at least two (2) written electronic advertisements containing information required by subdivision (G). The owner shall also give notice of the pending sale of property to the occupant's last known email address, if available.

SECTION 2. Tennessee Code Annotated, Section 66-31-105(2), is further amended by adding the following language as a new subdivision (P):

(P) A sale or other disposition of personal property shall conform to the terms of the notification, and shall be conducted in a commercially reasonable manner. An occupant shall be entitled to double damages if a sale or other disposition of property:

- (i) Fails to conform to the notification requirements; or
- (ii) Is otherwise determined to be commercially unreasonable.

SECTION 3. Tennessee Code Annotated, Section 66-31-105(2)(M), is amended by deleting the word "The" and by substituting instead the language "Except as provided by subdivision (P), the".

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.