

SECOND REGULAR SESSION

HOUSE BILL NO. 1104

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES JOLLY (Sponsor), LeVOTA, SKAGGS, MEINERS, LOWE,
CAMPBELL, WALKER, DUSENBERG, BROWN, PRATT, YATES AND BISHOP (Co-sponsor).

Read 1st time January 15, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2937L.021

AN ACT

To amend chapter 441, RSMo, by adding thereto one new section relating to the disposal of a former tenant's property.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 441, RSMo, is amended by adding thereto one new section, to be
2 known as section 441.350, to read as follows:

3 **441.350. 1. In the event that a tenant has been ordered to vacate the premises**
4 **under 441.710 to 441.880 but has failed to vacate or remove all of the tenant's property**
5 **from the premises, the landlord owning or controlling the premises may remove the**
6 **tenant's property without liability to the tenant or owner of any property left on the**
7 **landlord's premises.**

8 **2. A city or village may, by order or ordinance, prohibit a landlord from disposing**
9 **of the tenant's property by removing it from a building and placing it on the premises or**
10 **placing it on or in another part of the premises under this section. Any such ordinance**
11 **shall require the following elements:**

12 **(1) Notice of the intention of the landlord shall be given to the tenant by United**
13 **States mail or by personal delivery of the written notice to the premises;**

14 **(2) The landlord may not remove the tenant's property for a period of at least**
15 **seventy-two hours following notice. If notice is given by United States mail, an additional**
16 **three days shall be granted the tenant before the landlord may dispose of the tenant's**
17 **property;**

18 **(3) Upon the completion of the seventy-two hour notice period, the landlord may**
19 **dispose of the tenant's property remaining at the premises through sale, gift, or disposal;**
20 **and**

19 **(4) To attempt to mitigate the blighting influence of trash in neighborhoods, no**
20 **landlord shall place a tenant's property on the premises or on any right-of-way, street, or**
21 **sidewalk on the premises.**

22 **3. The reasonable cost of disposing of the tenant's property may be charged against**
23 **and collected from the tenant as rent due and owing the landlord.**