

SECOND REGULAR SESSION

HOUSE BILL NO. 1588

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BYRD.

Read 1st time February 26, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4774L.011

AN ACT

Relating to real estate licensees.

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

Section 1. 1. A real estate licensee shall be immune from liability for statements made by engineers, land surveyors, geologists, environmental hazard experts, wood destroying inspection and control experts, termite inspectors, mortgage brokers, home inspectors, or other home inspection experts unless:

(1) The statement was made by a person employed by the licensee or the broker with whom the licensee is associated;

(2) The person making the statement was selected by and engaged by the licensee;
or

(3) The licensee knew prior to closing that the statement was false or the licensee was reckless as to whether the statement was true or false.

2. A real estate licensee shall not be the subject of any action and no action shall be instituted against a real estate licensee for any information contained in a seller's disclosure for residential, commercial, industrial, farm, or vacant real estate furnished to a buyer, unless the real estate licensee is a signatory to such or the licensee knew prior to closing that the statement was false or the licensee was reckless as to whether the statement was true or false.

3. A real estate licensee acting as a courier of documents referenced in this section shall not be considered to be making the statements contained in such documents.