

SECOND REGULAR SESSION

HOUSE BILL NO. 1473

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE YATES.

Read 1st time January 19, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4406L.01I

AN ACT

To repeal section 527.260, RSMo, and to enact in lieu thereof one new section relating to lis pendens.

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

Section A. Section 527.260, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 527.260, to read as follows:

527.260. In any civil action, based on any equitable right, claim or lien, affecting or designed to affect real estate, the plaintiff shall file for record, with the recorder of deeds of the county in which any such real estate is situated, a written notice of the pendency of the suit, stating the names of the parties, the style of the action and the term of the court to which such suit is brought, and a description of the real estate liable to be affected thereby; and the pendency of such suit shall be constructive notice to purchasers or encumbrancers, only from the time of filing such notice. The recorder shall note the time of receiving such notice, and shall record and index the same in like manner as deeds of real estate are required to be recorded and indexed. **The recorder shall remove such written notice of the pendency of the suit from the record and index ninety days after recording of such notice if the suit is not actually filed within that ninety-day time period.**

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.