

SCS SB 1009 -- REAL ESTATE TRANSACTIONS

SPONSOR: Loudon (Wasson)

COMMITTEE ACTION: Voted "do pass by consent" by the Special Committee on Professional Registration and Licensing by a vote of 10 to 0.

Currently, all moneys accepted by a settlement agent for closing a real estate transaction must be certified funds unless the buyer, seller, or lender is a financial institution. This substitute exempts real estate transactions of less than \$2,500 from the requirement that they be certified funds.

The substitute contains an emergency clause.

FISCAL NOTE: No impact on state funds in FY 2009, FY 2010, and FY 2011.

PROPOSERS: Supporters say that this provision was omitted from legislation which passed a few years ago. Currently, all moneys accepted by a settlement agent at a closing have to be good funds; and if there is a small balance due, the transaction must cease and the parties must have certified checks drawn in order to complete the transaction. The bill will allow the parties to accept other forms of payment to complete the transaction.

Testifying for the bill were Senator Loudon; Missouri Land Title Association; Missouri Association of Realtors; Missouri Bankers Association; and St. Louis Association of Realtors.

OPPOSERS: There was no opposition voiced to the committee.