

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 203, Page 8,
2 Section 88.770, Line 79, by inserting after all of said section and line the following:
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4 "339.190. 1. A real estate licensee shall be immune from liability for statements made by engineers,
5 land surveyors, geologists, environmental hazard experts, wood-destroying inspection and control experts,
6 termite inspectors, mortgage brokers, home inspectors, or other home inspection experts unless:

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

9 (2) The person making the statement was selected by and engaged by the licensee. For purposes of
10 this section, the ordering of a report or inspection alone shall not constitute selecting or engaging a person; or

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

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

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

20 4. A real estate licensee shall not be the subject of any action and no action shall be instituted against
21 a real estate licensee for the accuracy of any information about the size or area, in square footage or
22 otherwise, of a property or of improvements on the property if the real estate licensee obtains the information
23 from a third party and the licensee discloses the source of the information prior to an offer to purchase being
24 transmitted to the seller, unless the real estate licensee knew the information was false at the time the real
25 estate licensee transmitted or published the information or the licensee acted with reckless disregard as to
26 whether such information was true or false."; and
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28 Further amend said bill, Page 10, Section 393.320, Line 73, by inserting after said section and line the
29 following:
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31 "442.135. 1. If a property is subdivided and a new property description is created, such property
32 description shall include the name, and professional license number, if applicable, of the person that created
33 the property description.

34 2. No person shall submit for recording a conveyance of any property under subsection 1 of this
35 section unless the property description of such property contains the information required in subsection 1 of
36 this section."; and
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38 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken _____ Date _____