

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 468, Page 41, Section 321.242, Line 71,
2 by inserting after all of said section and line the following:

3
4 "339.190. 1. A real estate licensee shall be immune from liability for statements made by
5 engineers, land surveyors, geologists, environmental hazard experts, wood-destroying inspection
6 and control experts, termite inspectors, mortgage brokers, home inspectors, or other home inspection
7 experts unless:

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

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

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

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

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

22 4. A real estate licensee shall not be the subject of any action and no action shall be
23 instituted against a real estate licensee for the accuracy of any information about the size or area, in
24 square footage or otherwise, of a property or of improvements on the property if the real estate
25 licensee obtains the information from a third party and the licensee discloses the source of the
26 information prior to an offer to purchase being transmitted to the seller, unless the real estate
27 licensee knew the information was false at the time the real estate licensee transmitted or published
28 the information or the licensee acted with reckless disregard as to whether such information was true
29 or false."; and

30
31 Further amend said bill, Page 44, Section 436.338, Line 4, by inserting after all of said section and
32 line the following:

33
34 "442.135. 1. If a property is subdivided and a new property description is created, such
35 property description shall include the name, and professional license number, if applicable, of the
36 person that created the property description.

Action Taken _____ Date _____

1 2. No person shall submit for recording a conveyance of any property under subsection 1 of
2 this section unless the property description of such property contains the information required in
3 subsection 1 of this section."; and
4

5 Further amend said bill by amending the title, enacting clause, and intersectional references
6 accordingly.