

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 724, Page 33, Section 407.475, Line 12, by inserting after all of said section and line
3 the following:
4

5 "436.337. Notwithstanding any other provision of law, no political subdivision shall require
6 a property owner to have a home inspection conducted of a residential property regarding the sale of
7 the property. This provision shall not apply to any inspection requirement of new construction or
8 occupancy permits."; and
9

10 Further amend said bill and page, Section 442.130, Line 6, by inserting after all of said section and
11 line the following:
12

13 "442.403. 1. Any restrictive covenant recitals on property, real or personal, found in any
14 deeds, plats, restrictions, covenants, or other conveyances of any type or nature, filed for record at
15 any time in the office of the recorder of deeds in any county[~~, which relate~~] that relate to the race,
16 color, religion, or national origin of any person[~~;~~] shall be void and unenforceable[~~;~~] and shall be
17 ignored, as if the same never existed.

18 2. Any person or legal entity with an interest in real property or any agent of such person or
19 entity, shall not incur any liability by reason of the mere existence of a restrictive covenant
20 described in subsection 1 of this section in any document filed for record before May 3, 1948, in any
21 recorder of deeds' office.

22 3. No deed recorded on or after August 28, 2022, shall contain a reference to the specific
23 portion of a restrictive covenant purporting to restrict the ownership or use of the property as
24 prohibited under subsection 1 of this section. A recorder of deeds may refuse to accept any deed
25 submitted for recording that references the specific portion of any such restrictive covenant. The
26 person who prepares or submits a deed for recording has the responsibility of ensuring that the
27 specific portion of such a restrictive covenant is not specifically referenced in the deed prior to such
28 deed being submitted for recording. A deed may include a general provision that states that such
29 deed is subject to any and all covenants and restrictions of record; however, such provision shall not
30 apply to the specific portion of a restrictive covenant purporting to restrict the ownership or use of
31 the property as prohibited under subsection 1 of this section. Any deed that is recorded after August

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27, 2022, that mistakenly contains such a restrictive covenant shall nevertheless constitute a valid transfer of real property.

4. Any restrictive covenant prohibited under subsection 1 of this section may be released by the owner of real property subject to such covenant by recording a certificate of release of prohibited covenants. The real property owner may record a certificate either prior to recording of a deed conveying real property to a purchaser or when such real property owner discovers that such prohibited covenant exists and chooses to affirmatively release the same. A certificate may be prepared without assistance of an attorney but shall conform substantially to the following certificate of release of prohibited covenants form:

Certificate of Release of Prohibited Covenants

Place of record: _____

Date of instrument containing prohibited covenant(s): _____

Instrument type: _____

Deed book _____ page _____ or plat book _____ page _____

Name(s) of grantor(s): _____

Name(s) of current owner(s): _____

Real property description: _____

Specific description of prohibited covenant, including a citation to the location within the instrument: _____

The covenant contained in the above-mentioned instrument is released from the above-described real property to the extent that it contains terms purporting to restrict the ownership or use of the property as prohibited by 442.403, RSMo.

The undersigned (is/are) the legal owner(s) of the property described herein.

Given under my/our hand(s) this _____ day of _____, 20__.

(Current owners)

(County/city) of _____.

State of Missouri

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary public

My commission expires: _____"; and

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