

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 595 & 343
103RD GENERAL ASSEMBLY

1536H.05T

2025

AN ACT

To repeal sections 339.780 and 441.043, RSMo, and to enact in lieu thereof two new sections relating to real estate transactions.

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

Section A. Sections 339.780 and 441.043, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 339.780 and 441.043, to read as follows:

339.780. 1. All written agreements for brokerage services on behalf of a seller,
2 landlord, buyer, or tenant shall be entered into by the designated broker on behalf of that
3 broker and affiliated licensees, except that the designated broker may authorize affiliated
4 licensees in writing to enter into the written agreements on behalf of the designated broker.

5 2. Before engaging in any of the activities enumerated in section 339.010, a
6 designated broker intending to establish a limited agency relationship with a seller or landlord
7 shall enter into a written agency agreement with the party to be represented. The agreement
8 shall include a licensee's duties and responsibilities specified in section 339.730 and the terms
9 of compensation and shall specify whether an offer of subagency may be made to any other
10 designated broker.

11 3. Before ~~[or while]~~ engaging in any acts enumerated in section 339.010, except
12 ministerial acts defined in section 339.710, a designated broker acting as a single agent for a
13 buyer or tenant shall enter into a written agency agreement with the buyer or tenant. The

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.

14 agreement shall include a licensee's duties and responsibilities specified in section 339.740
15 and the terms of compensation.

16 4. Before engaging in any of the activities enumerated in section 339.010, a
17 designated broker intending to act as a dual agent shall enter into a written agreement with the
18 seller and buyer or landlord and tenant permitting the designated broker to serve as a dual
19 agent. The agreement shall include a licensee's duties and responsibilities specified in section
20 339.750 and the terms of compensation.

21 5. Before engaging in any of the activities enumerated in section 339.010, a
22 designated broker intending to act as a subagent shall enter into a written agreement with the
23 designated broker for the client. If a designated broker has made a unilateral offer of
24 subagency, another designated broker can enter into the subagency relationship by the act of
25 disclosing to the customer that he or she is a subagent of the client. If a designated broker has
26 made an appointment pursuant to section 339.820, an affiliated licensee that has been
27 excluded by such appointment may enter into the subagency relationship by the act of
28 disclosing to the customer that he or she is a subagent of the client.

29 6. A designated broker who intends to act as a transaction broker and who expects to
30 receive compensation from the party he or she assists shall enter into a written transaction
31 brokerage agreement with such party or parties contracting for the broker's service. The
32 transaction brokerage agreement shall include a licensee's duties and responsibilities specified
33 in section 339.755 and the terms of compensation.

34 7. All exclusive brokerage agreements shall specify that the broker, through the
35 broker or through one or more affiliated licensees, shall provide, at a minimum, the following
36 services:

37 (1) Accepting delivery of and presenting to the client or customer offers and
38 counteroffers to buy, sell, or lease the client's or customer's property or the property the client
39 or customer seeks to purchase or lease;

40 (2) Assisting the client or customer in developing, communicating, negotiating, and
41 presenting offers, counteroffers, and notices that relate to the offers and the counteroffers until
42 a lease or purchase agreement is signed and all contingencies are satisfied or waived; and

43 (3) Answering the client's or customer's questions relating to the offers, counteroffers,
44 notices, and contingencies.

45 8. Nothing contained in this section shall prohibit the public from entering into
46 written contracts with any broker which contain duties, obligations, or responsibilities which
47 are in addition to those specified in this section.

441.043. 1. No county or city, or county or city with a charter form of government
2 may enact, maintain, or enforce any ordinance or resolution which regulates the amount of

3 rent to be charged for privately-owned, single-family, or multiple-unit residential or
4 commercial rental property.

5 **2. No county or city, or county or city with a charter form of government, shall**
6 **enact, maintain, or enforce any ordinance or resolution that:**

7 **(1) Prohibits landlords from refusing to lease or rent a privately owned, single-**
8 **family, or multiple-unit residential or commercial rental property to a person because**
9 **the person's lawful source of income to pay rent includes funding from a federal or**
10 **other housing assistance program;**

11 **(2) Restricts a landlord's ability to use or consider income-qualifying methods,**
12 **credit scores, credit reports, eviction or property damage history, or criminal history,**
13 **according to such landlord's own customarily applied criteria, or prohibits landlords**
14 **from requesting such information, to determine whether to rent or lease a property to a**
15 **prospective tenant;**

16 **(3) Limits the amount of security deposit a landlord may require from a**
17 **prospective tenant; or**

18 **(4) Requires tenants to automatically receive the right of first refusal.**

19 **3. This section shall not be construed as prohibiting any county or city, or any**
20 **authority created by a county or city for that purpose, from:**

21 **(1) Regulating in any way property belonging to that city, county, or authority;**

22 **(2) Entering into **voluntary** agreements with private persons which regulate the**
23 **amount of rent charged for subsidized rental properties; or**

24 **(3) Enacting ordinances or resolutions restricting rent for properties assisted with**
25 **community development block grant funds.**

26 **4. Nothing in this section shall prevent a county or city, or county or city with a**
27 **charter form of government, from enacting, maintaining, or enforcing an ordinance or**
28 **resolution that prohibits a landlord from discriminating against a tenant or prospective**
29 **tenant solely on the basis that such tenant is a recipient of veterans' benefits.**

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