

Owen

(Smy)

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

SS HB 2636

entitled:

AN ACT

To amend chapters 379, 442, and 443, RSMo, by adding thereto eight new sections relating to transactions involving real estate, with penalty provisions and a severability clause.

With SA 1

In which the concurrence of the House is respectfully requested.

Respectfully,

Kristina Martin

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Secretary of the Senate

RECEIVED
MAY 14 2026
BY: _____

SENATE AMENDMENT NO. 1

Offered by Curtis Lent of District 90

Amend SS/House Bill No. 2636, Page 2, Section 379.135, Line 23,

2 by inserting after all of said line the following:

3 "407.3600. 1. For purposes of this section, the
4 following terms mean:

5 (1) "Residential real property", real property that is
6 improved by a building or other structure that has one to
7 four dwelling units;

8 (2) (a) "Wholesaler", a person or entity that for a
9 fee, commission, or other valuable consideration, or with
10 the intention, expectation, or upon the promise of receiving
11 or collecting a fee, commission, or other valuable
12 consideration, enters into a purchase contract for
13 residential real property either:

14 a. As the grantee, and assigns or novates the contract
15 to another person or entity; or

16 b. As the grantor, and, without holding legal title to
17 the real property, assigns or novates the contract to
18 another person or entity.

19 (b) "Wholesaler" shall not include:

20 a. An individual who assigns or novates the contract
21 to another individual who is a relative within the third
22 degree of consanguinity or affinity; or

23 b. A person or entity that assigns or novates the
24 contract to a parent, affiliate, subsidiary, or affiliated
25 group under common control with the person or entity.

Offered 5/14/26

Adopted 5/14/26

26 2. Not less than fourteen calendar days before
27 entering into a contract that transfers an interest in
28 residential real property, a wholesaler acting as a grantee
29 or a wholesaler's representative, if applicable, shall
30 provide to the record owner a written disclosure statement,
31 separate from the purchase contract or agreement, printed in
32 boldface type font size not less than twelve points, that
33 contains the following disclosure:

34 Missouri law requires a wholesaler acting as a
35 grantee, before entering into a contract or
36 agreement that conveys an interest in residential
37 real property, to provide certain information to
38 the record owner in a conspicuous manner printed in
39 boldface type font size not less than twelve
40 points. Failure by a wholesaler to present or
41 complete this form shall be considered an unlawful
42 and unfair practice under the Missouri
43 Merchandising Practices Act. Any person who enters
44 into an agreement that conveys an interest in
45 residential real property to a wholesaler acting as
46 a grantee without receiving this disclosure has a
47 cause of action against the wholesaler. A
48 wholesaler acting as a grantee is prohibited from
49 entering into a binding contract to acquire an
50 interest in residential real property unless this
51 statement is signed and dated by the record owner
52 of the property.

53
54
55 The owner acknowledges that the person presenting
56 this document is a wholesaler, as defined in
57 section 407.3600 of the Revised Statutes of
58 Missouri, and that the owner is advised to seek
59 legal advice before entering into any agreement or
60 contract with the wholesaler. A wholesaler is
61 acting on the wholesaler's own behalf and does not
62 represent the owner in this transaction. A
63 wholesaler enters assignable contracts with owners
64 and seeks to sell or assign the wholesaler's

98 effective date of this section that modifies or waives any
99 provision of this section shall be null and void.

100 6. Any violation of this section shall be considered
101 an unlawful practice under the Missouri merchandising
102 practices act under this chapter. A party that enters into
103 an agreement without receiving the disclosures required
104 under subsection 2 of this section may bring a private
105 action against a wholesaler.

106 7. The attorney general shall have the authority to
107 enforce the provisions of this section. If the attorney
108 general finds that a violation occurred, the attorney
109 general may commence a civil action in a court of competent
110 jurisdiction. If the court finds that a violation occurred,
111 the court may grant damages, injunctive relief, attorney
112 fees, and any such other relief the court finds
113 appropriate."; and

114 Further amend the title and enacting clause accordingly.