

SECOND REGULAR SESSION

HOUSE BILL NO. 1954

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BOSLEY.

4941H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 441, RSMo, by adding thereto one new section relating to the habitability of the premises of a tenant.

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

Section A. Chapter 441, RSMo, is amended by adding thereto one new section, to be known as section 441.237, to read as follows:

441.237. 1. As used in this section, the word "pests" means any unwanted:

(1) Member of the class Insecta including, but not limited to, houseflies, bees, cockroaches, moths, silverfish, beetles, bedbugs, ants, termites, hornets, mosquitoes, and wasps;

(2) Member of the phylum Arthropoda including, but not limited to, spiders, mites, ticks, centipedes, and wood lice; and

(3) Member of the order Rodentia including, but not limited to, mice and Norway rats.

2. (1) Notwithstanding any other provision of law, a landlord of a premises shall be liable for damages to a tenant of such premises if, through no fault of the tenant, the premises contain conditions that would materially affect the health and safety of the tenant and the landlord fails to begin remediation of such conditions within thirty days after the tenant notifies the landlord in writing of such conditions. Conditions that would materially affect the health and safety of the tenant include, but are not limited to, hazardous mold, rotting or deteriorating floors, sewage backup, roof leaks, or infestation of pests.

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.

17 **(2) Damages under subdivision (1) of this subsection shall include, but are not**
18 **limited to, any health care costs associated with the failure to remedy a condition that**
19 **would materially affect the health and safety of the tenant.**

20 **3. After the landlord completes the remediation required under subsection 2 of**
21 **this section, the landlord shall have the premises inspected by a licensed inspector, and**
22 **the inspector shall determine whether the conditions that materially affected the health**
23 **and safety of the tenant have been corrected.**

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