

SECOND REGULAR SESSION

HOUSE BILL NO. 2840

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WEST.

5975H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 442, RSMo, by adding thereto one new section relating to homeowners' associations.

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

Section A. Chapter 442, RSMo, is amended by adding thereto one new section, to be known as section 442.405, to read as follows:

442.405. 1. As used in this section, "homeowners' association" or "association" shall mean a nonprofit corporation or unincorporated association of homeowners created under a declaration to own and operate portions of a planned community or other residential subdivision that has the power under the declaration to assess association members to pay the costs and expenses incurred in the performance of the association's obligations under the declaration or tenants-in-common with respect to the ownership of common ground or amenities of a planned community or other residential subdivision. This term shall not include a condominium unit owners' association as defined and provided for in subdivision (3) of section 448.1-103 or a residential cooperative.

2. (1) Notwithstanding any provision of law to the contrary, a homeowners' association shall dissolve ten years following the date of establishment unless such association is renewed by a majority vote of eighty-five percent of all members of the association at an election held within ninety days of the date of dissolution. Any association failing to receive a majority vote of eighty-five percent for renewal shall be immediately dissolved, and the member homeowners shall not be subject to any other

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 association for a period of ten years unless approved by eighty-five percent of such
18 homeowners.

19 (2) Any association renewed pursuant to subdivision (1) of this subsection shall
20 be subject to renewal every ten years.

21 (3) Any association in existence for a period of at least ten years as of August 28,
22 2026, shall hold an election pursuant to subdivision (1) of this subsection no later than
23 December 31, 2026, and every ten years thereafter.

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