

HCS HB 2099 -- UNLAWFUL USE OF REAL PROPERTY

SPONSOR: Amato

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Commerce by a vote of 10 to 0. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 11 to 0.

The following is a summary of the House Committee Substitute for HB 2099.

Currently, property owners can file a petition to seek relief for the removal of any unlawful occupants from property containing a residential dwelling.

This bill expands the petition's coverage to private noncommercial property.

Currently, when a law enforcement officer has probable cause to believe that an unlawful occupant on property containing a residential dwelling has violated an ex parte order to remove that person from the property, the officer must arrest the offending party regardless of whether the violation occurred in the presence of the arresting officer. If such an arrest is made in good faith, the arresting and assisting law enforcement officers and employing entities and superiors will be immune from liability for false arrest, false imprisonment, or malicious prosecution.

This bill makes it clear that it must be the arresting and assisting law enforcement officer's employing entities and superiors who will be immune from liability.

This bill is similar to HB 400 (2025).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that this bill adds further clarity to the previous session's squatters legislation by expanding the scope beyond residential dwellings.

Testifying in person for the bill were Representative Amato; Missouri Bankers Association; Arnie Dienoff; and Mortgage Bankers Association of Missouri.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.