

SECOND REGULAR SESSION

HOUSE BILL NO. 2033

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MONACO.

Read 1st time February 21, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4733L.01I

AN ACT

To repeal sections 441.236, RSMo, as enacted by conference committee substitute for senate committee substitute for house bill no. 471, ninety-first general assembly, first regular session and 441.236, RSMo, as enacted by house substitute for house committee substitute for senate substitute for senate committee substitute for senate bills nos. 89 & 37, ninety-first general assembly, first regular session, and to enact in lieu thereof one new section relating to disclosure of methamphetamine production.

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

Section A. Sections 441.236, RSMo, as enacted by conference committee substitute for
2 senate committee substitute for house bill no. 471, ninety-first general assembly, first regular
3 session and 441.236, RSMo, as enacted by house substitute for house committee substitute for
4 senate substitute for senate committee substitute for senate bills nos. 89 & 37, ninety-first general
5 assembly, first regular session, are repealed and one new section enacted in lieu thereof, to be
6 known as section 441.236, to read as follows:

441.236. 1. In the event that any premises to be **rented, leased, sold, transferred, or**
2 **conveyed is or was used as a site for methamphetamine production, the owner, seller, [by**
3 **a] landlord, or other transferor** [is or was used as a site for methamphetamine production, the
4 landlord] shall disclose in writing to the [tenant] **prospective lessee, purchaser, or transferee**
5 the fact that methamphetamine was produced on the premises, provided that the **owner, seller,**
6 **landlord, or other transferor** had knowledge of such prior methamphetamine production. [The
7 landlord shall disclose any prior knowledge of methamphetamine production, regardless of
8 whether the persons involved in the production were convicted for such production.]

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

9 2. A landlord shall disclose in writing the fact that any premises to be leased by the
10 landlord either was the place of residence of a person convicted of any of the following crimes,
11 or was the storage site or laboratory for any of the substances for which a person was convicted
12 of any of the following crimes, provided that the landlord knew or should have known of such
13 convictions:

14 (1) Creation of a controlled substance in violation of section 195.420, RSMo;

15 (2) Possession of ephedrine with intent to manufacture methamphetamine in violation
16 of section 195.246, RSMo;

17 (3) Unlawful use of drug paraphernalia with the intent to manufacture methamphetamine
18 in violation of subsection 2 of section 195.233, RSMo;

19 (4) Endangering the welfare of a child by any of the means described in subdivision (4)
20 or (5) of subsection 1 of section 568.045, RSMo; or

21 (5) Any other crime related to methamphetamine, its salts, optical isomers and salts of
22 its optical isomers either in chapter 195, RSMo, or in any other provision of law.

2 [441.236. In the event that any premises to be rented, leased, sold, transferred
3 or conveyed is or was used as a site for methamphetamine production, the owner,
4 seller, landlord or other transferor shall disclose in writing to the prospective lessee,
5 purchaser or transferee the fact that methamphetamine was produced on the premises,
6 provided that the owner, seller, landlord or other transferor has knowledge of such
7 prior methamphetamine production. The owner shall disclose any prior knowledge
8 of methamphetamine production, regardless of whether the persons involved in the
production were convicted for such production.]