

FIRST REGULAR SESSION

HOUSE BILL NO. 471

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LOW (Sponsor), HOLSMAN, OXFORD, ROORDA, KANDER,
MORRIS AND McNEIL (Co-sponsors).

0628L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 442, RSMo, by adding thereto one new section relating to the disclosure of energy efficiency rating of new residential homes.

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 442.620, to read as follows:

- 442.620. 1. Notwithstanding any other provision of law or county or municipal ordinance to the contrary, for residential home sales that occur on or after August 28, 2009, the seller of a newly constructed residential home shall disclose to the initial purchaser of the home its energy efficiency rating according to the energy star rating system. The disclosure shall occur at least one week before the final completion of the home sale through a completely integrated agreement.**
- 2. Failure to disclose the energy efficiency information required under subsection 1 of this section shall result in the forfeiture of five hundred dollars by the seller to the purchaser of the newly constructed home. Any purchaser of a new residential home who fails to receive notice of such home's energy efficiency rating may withhold five hundred dollars from the purchase price of the home, or in case full payment has been made on the home, the purchaser may pursue a cause of action in any court of competent jurisdiction for five hundred dollars.**
- 3. If a purchaser is successful in his or her suit under the provisions of this section, he or she shall be awarded attorney fees and costs.**

✓

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.