

HCS HB 1510 -- POLITICAL SUBDIVISIONS

SPONSOR: Cross

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on General Laws by a vote of 9 to 4.

This bill prohibits requests to law enforcement or emergency services for assistance from being considered a public nuisance. Political subdivisions are prohibited from penalizing a resident, tenant, or landlord for a contact made for police or emergency assistance by or on behalf of a victim of abuse, crime, or an individual in an emergency, if the contact was reasonably believed to be necessary or is actually necessary. If a political subdivision attempts to enforce an ordinance in violation of this prohibition, the resident, tenant, or landlord may file civil suit against the political subdivision for various remedies including a cease and desist order, compensatory damages, attorney's fees, court costs, and other equitable relief.

This bill prohibits a city or county from adopting or enforcing a residential property licensing ordinance that includes a requirement for periodic interior inspections of privately-owned residential property for city or county code violations. An occupant of privately-owned residential housing may request a city or county inspection at any time to determine code violations.

This bill prohibits any political subdivision from requiring any permit, other than an occupancy or building permit, for work performed on the interior of residential property except as necessary to protect public safety or welfare or from charging a fee for inspections associated with the installation or removal or household appliances.

A political subdivision cannot require a seller or transferor of real property to obtain an inspection or permit of the real property in order to sell or transfer the property.

This bill is similar to HCS HB 1189 (2017).

PROPOSERS: Supporters say that this bill protects individual's fourth amendment rights. Government agents should not be able to enter a home without the tenant's permission. If there is something wrong with the property the tenant always has the option to move or to report code violations. Political subdivisions should not be instituting mandatory inspections at the expense of tenants.

Testifying for the bill were Representative Cross; R Scott Beck;

Anthony Baldin and Christine Baldin, ABCD Properties, LLC; Glenn E. Dominik; Marianne Dominik; Missouri Realtors; Robert Long; Ross Lowdon; Henry Lyons, Heartland Apartment Association and Landlords Association; Michael J. Martin; Jim Meyer; Marie J. Rupp; Ronald Rupp; Warren Smalley; and Stephen Summers.

OPPONENTS: Those who oppose the bill say that they are concerned that this bill will prohibit any occupancy permit requirements. Occupancy permits are needed to protect the safety of the community.

Testifying against the bill were City of Columbia and Missouri Municipal League.