

# HOUSE BILL NO. 1632

## 101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MORSE.

3828H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal section 432.010, RSMo, and to enact in lieu thereof one new section relating to the statute of frauds.

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

Section A. Section 432.010, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 432.010, to read as follows:

432.010. No action shall be brought:

(1) To charge any executor or administrator, upon any special promise to answer for any debt or damages out of his **or her** own estate~~[-or]~~;

(2) To charge any person upon any special promise to answer for the debt, default, or miscarriage of another person~~[-or]~~;

(3) To charge any person upon any agreement made in consideration of marriage~~[-or]~~;

(4) Upon any contract made for the sale of lands, tenements, hereditaments, or an interest in or concerning them, or any lease thereof, for a longer time than one year~~[-or]~~;

(5) Upon any agreement that is not to be performed within one year from the making thereof~~[-]~~; **or**

(6) **To charge any person sixty-five years of age or older, any person a court has adjudicated fully or partially incapacitated or disabled, or any person diagnosed with Alzheimer's disease, dementia, or any other mild to severe cognitive disability upon any contract**

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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 unless the agreement upon which the action shall be brought, or some memorandum or note  
18 thereof, ~~[shall be]~~ **is** in writing and signed by the party to be charged therewith~~;~~ or some  
19 other person ~~[by him thereto]~~ lawfully authorized~~;~~ **and by the party to make such**  
20 **agreement.** No contract for the sale of lands made by an agent shall be binding upon the  
21 principal~~;~~ unless such agent is authorized in writing to make said contract.

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