

FIRST EXTRAORDINARY SESSION OF THE  
SECOND REGULAR SESSION

# HOUSE BILL NO. 53

## 100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BOSLEY.

5885H.01I

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To amend chapter 441, RSMo, by adding thereto one new section relating to the habitability of the premises of a tenant.

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

Section A. Chapter 441, RSMo, is amended by adding thereto one new section, to be  
2 known as section 441.237, to read as follows:

**441.237. 1. As used in this section, the word "pests" means any unwanted:**

2 **(1) Member of the class Insecta including, but not limited to, houseflies, bees,**  
3 **cockroaches, moths, silverfish, beetles, bedbugs, ants, termites, hornets, mosquitoes, and**  
4 **wasps;**

5 **(2) Member of the phylum Arthropoda including, but not limited to, spiders, mites,**  
6 **ticks, centipedes, and wood lice; and**

7 **(3) Member of the order Rodentia including, but not limited to, mice and Norway**  
8 **rats.**

9 **2. (1) Notwithstanding any other provision of law, a landlord of a premises shall**  
10 **be liable for damages to a tenant of such premises if, through no fault of the tenant, the**  
11 **premises contain conditions that would materially affect the health and safety of the tenant**  
12 **and the landlord fails to begin remediation of such conditions within thirty days after the**  
13 **tenant notifies the landlord in writing of such conditions. Conditions that would materially**  
14 **affect the health and safety of the tenant include, but are not limited to, hazardous mold,**  
15 **rotting or deteriorating floors, sewage backup, roof leaks, and infestation of pests.**

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.

16           **(2) Damages under subdivision (1) of this subsection shall include, but are not**  
17 **limited to, any health care costs associated with the failure to remedy a condition that**  
18 **would materially affect the health and safety of the tenant.**

19           **3. After the landlord completes the remediation required under subsection 2 of this**  
20 **section, the landlord shall have the premises inspected by a licensed inspector, and the**  
21 **inspector shall determine whether the conditions that materially affected the health and**  
22 **safety of the tenant have been corrected.**

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