

FIRST REGULAR SESSION

SENATE BILL NO. 319

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WIELAND.

Read 1st time January 28, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0671S.02I

AN ACT

To repeal section 442.606, RSMo, and to enact in lieu thereof one new section relating to remedies for failing to disclose that a parcel of real estate was a site for methamphetamine production, with a penalty provision.

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

Section A. Section 442.606, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 442.606, to read as follows:

442.606. 1. In the event that any parcel of real property to be sold, exchanged or transferred is or was used as a site for methamphetamine production, the seller or transferor shall disclose in writing to the buyer or transferee the fact that methamphetamine was produced on the premises, provided that the seller or transferor had knowledge of such prior methamphetamine production. The seller or transferor shall disclose any prior knowledge of methamphetamine production, regardless of whether the persons involved in the production were convicted for such production.

2. A seller or transferor of any parcel of real property shall disclose in writing the fact that any premises to be sold or transferred either was the place of residence of a person convicted of any of the following crimes, or was the storage site or laboratory for any of the substances for which a person was convicted of any of the following crimes, provided that the seller or transferor knew or should have known of such convictions:

- (1) Creation of a controlled substance in violation of section 579.110;
- (2) Possession of ephedrine with intent to manufacture methamphetamine [in violation of section 195.246];
- (3) Unlawful use of drug paraphernalia with the intent to manufacture

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

19 methamphetamine in violation of subsection 2 of section 579.074;

20 (4) Endangering the welfare of a child by any of the means described in
21 subdivision (4) [or (5)] of subsection 1 of section 568.045; or

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

25 **3. (1) Any seller or transferor who knowingly violates the**
26 **provisions of this section shall be guilty of a class A misdemeanor.**

27 **(2) Any buyer or transferee who suffers any injury as a result of**
28 **a seller or transferor knowingly violating the provisions of this section**
29 **may recover in a civil action compensatory damages, including**
30 **damages for any medical expenses incurred as a result of exposure to**
31 **methamphetamine.**

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Bill

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