

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 60

100TH GENERAL ASSEMBLY

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Reported from the Committee on Small Business and Industry, March 28, 2019, with recommendation that the Senate Committee Substitute do pass.

0147S.03C

ADRIANE D. CROUSE, Secretary.

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## AN ACT

To amend chapter 441, RSMo, by adding thereto one new section relating to victims of certain crimes.

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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 known as section 441.920, to read as follows:

**441.920. 1. For purposes of this section, the following terms mean:**

**(1) "Domestic violence", as such term is defined in section 455.010;**

**(2) "Sexual assault", as such term is defined in section 455.010;**

**(3) "Stalking", as such term is defined in section 455.010.**

**2. No applicant, tenant, or lessee shall be denied tenancy, be evicted from the premises, or found to be in violation of a lease agreement on the basis of or as a direct result of the fact that the applicant, tenant, or lessee is, has been, or is in imminent danger of becoming a victim of domestic violence, sexual assault, or stalking if the applicant, tenant, or lessee otherwise qualifies for tenancy or occupancy in the premises. The provisions of this subsection shall not apply if:**

**(1) The applicant, tenant, or lessee allowed the person named in any documentation listed in subsection 4 of this section into the premises; or**

**(2) The landlord or property owner reasonably believes that a person named in any documentation listed in subsection 4 of this section poses a threat to the safety of the other occupants or the**

21 **property.**

22 **3. In any action brought by a landlord against a tenant under**  
23 **this chapter, chapter 534, or chapter 535, a tenant shall have an**  
24 **affirmative defense and not be liable for rent for the period after which**  
25 **the tenant vacates the premises owned by the landlord if, by a**  
26 **preponderance of the evidence, the court finds that the tenant was a**  
27 **victim or was in imminent danger of becoming a victim of domestic**  
28 **violence, sexual assault, or stalking and the tenant notified the**  
29 **landlord and has provided any requested documentation under**  
30 **subsection 4 of this section.**

31 **4. An applicant, tenant, or lessee shall qualify for the protections**  
32 **under this section if he or she provides a statement of such domestic**  
33 **violence, sexual assault, or stalking to his or her landlord or the**  
34 **property owner. If the landlord or property owner requests, the**  
35 **applicant, tenant, or lessee shall provide documentation of the domestic**  
36 **violence, sexual assault, or stalking, which may be in any of the**  
37 **following forms:**

38 **(1) A document signed by an employee of a victim service**  
39 **provider, or a health care professional or mental health professional**  
40 **from whom the victim has sought assistance relating to domestic**  
41 **violence, sexual assault, stalking, or the effects of abuse stating that,**  
42 **under penalty of perjury, the individual believes in the occurrence of**  
43 **the incident of domestic violence, sexual assault, or stalking that is the**  
44 **ground for protection, and that the incident meets the applicable**  
45 **definition of domestic violence, sexual assault, or stalking. Such**  
46 **document shall be signed by the victim; or**

47 **(2) A record of a federal, state, or local law enforcement agency,**  
48 **including a police report, a court, or an administrative agency**  
49 **pertaining to the alleged incident of domestic violence, sexual assault,**  
50 **or stalking.**

51 **5. The submission of false information by an applicant, tenant,**  
52 **or lessee under this section may be a basis for a denial of tenancy,**  
53 **eviction, or a violation of a lease agreement.**

54 **6. Any landlord or property owner may impose a reasonable**  
55 **termination fee on a tenant or lessee who desires to terminate a lease**  
56 **before the expiration date of such lease under the provisions of this**  
57 **section.**

58           **7. The provisions of this section shall only apply to residential**  
59 **properties.**

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Bill

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