

FIRST REGULAR SESSION

HOUSE BILL NO. 486

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CURLS (Sponsor) AND McCANN BEATTY (Co-sponsor).

1430L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 534.310, RSMo, and to enact in lieu thereof one new section relating to remedies for forcible entry by landlord.

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

Section A. Section 534.310, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 534.310, to read as follows:

534.310. **1.** Whenever the verdict of the jury or finding of the judge shall be for the complainant, damages shall be assessed as well for waste and injury committed upon the premises found to have been forcibly or unlawfully detained, as for all rents and profits due and owing up to the time of the rendering of the verdict or finding of the judge, and such verdict or finding shall also state the monthly value of the rents and profits of said premises.

2. Where a forcible entry has been found by the court under the provisions of section 441.233, the damages recoverable by the prevailing tenant shall include all damages caused by the landlord's exclusion of the tenant from the premises, including but not limited to, prepaid rent, moving expenses, loss of utility deposits including any moneys necessary to reestablish utility service, loss of credit, damage to tenant's rental history, damages for physical and emotional distress to the tenant and any direct dependents of such tenant, and attorney fees.

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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.