

HCS HB 2034 -- PROPERTY

SPONSOR: McGaugh

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Professional Registration and Licensing by a vote of 13 to 2. Voted "Do Pass with HCS" by the Select Committee on General Laws by a vote of 7 to 0.

This bill specifies that a licensed attorney or licensed title insurance company, agent, or agency is not precluded from preparing maps or other drawings, conducting investigations into real estate titles and descriptions, and preparing land or legal descriptions for clients or customers in connection with any real estate transaction. However, that work cannot include specific duties required of surveyors for field survey work, such as locating public land corners or locating and setting corners and boundaries.

PROPONENTS: Supporters say that attorneys need to prepare documents referencing specific parcels of land. The existing law was never intended to limit the scope of an attorney's practice and this bill would clarify that.

Testifying for the bill were Representative McGaugh; The Missouri Bar; Missouri Land Title Association; Missouri Association Of Realtors; Missouri Bankers Association; and Mortgage Bankers Association Of Missouri.

OPPONENTS: Those who oppose the bill say that maps aren't made from boundary surveys but from deed descriptions. It is very important that the descriptions be accurate and described in the appropriate manner.

Testifying against the bill was Donald Martin.