

FIRST REGULAR SESSION

# HOUSE BILL NO. 614

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE DAVIS.

1478H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 442.606, RSMo, and to enact in lieu thereof one new section relating to disclosure of methamphetamine production on a parcel of real property.

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*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Section A. Section 442.606, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 442.606, to read as follows: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. **Except as provided in subsection 2 of this section**, 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. **If the methamphetamine production described in subsection 1 of this section was located in and contained within a structure on any parcel of real property and that structure has been removed or demolished in accordance with Environmental Protection Agency or department of health and senior service regulations, the seller or transferor shall not be required to disclose in writing to the buyer or transferee the fact that methamphetamine was produced on the premises.**

3. **Except as provided in subsection 2 of this section**, 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

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.

18 of the following crimes, provided that the seller or transferor knew or should have known of such  
19 convictions:

20 (1) Creation of a controlled substance in violation of section 195.420;

21 (2) Possession of ephedrine with intent to manufacture methamphetamine in violation  
22 of section 195.246;

23 (3) Unlawful use of drug paraphernalia with the intent to manufacture methamphetamine  
24 in violation of subsection 2 of section 195.233;

25 (4) Endangering the welfare of a child by any of the means described in subdivision (4)  
26 or (5) of subsection 1 of section 568.045; or

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

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