

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 2453, Page 1, In the Title, Lines 2-3, by
2 deleting all of said lines and inserting in lieu thereof the following:

3
4 "To repeal section 327.272, RSMo, and to enact in lieu thereof two new section relating to the real
5 property."; and

6
7 Further amend said bill, Page 1, Section 1, Line 1, by inserting immediately before said section and
8 line, the following:

9
10 "327.272. 1. A professional land surveyor shall include any person who practices in
11 Missouri as a professional land surveyor who uses the title of "surveyor" alone or in combination
12 with any other word or words including, but not limited to "registered", "professional" or "land"
13 indicating or implying that the person is or holds himself or herself out to be a professional land
14 surveyor who by word or words, letters, figures, degrees, titles or other descriptions indicates or
15 implies that the person is a professional land surveyor or is willing or able to practice professional
16 land surveying or who renders or offers to render, or holds himself or herself out as willing or able
17 to render, or perform any service or work, the adequate performance of which involves the special
18 knowledge and application of the principles of land surveying, mathematics, the related physical
19 and applied sciences, and the relevant requirements of law, all of which are acquired by education,
20 training, experience and examination, that affect real property rights on, under or above the land and
21 which service or work involves:

22 (1) The determination, location, relocation, establishment, reestablishment, layout, or
23 retracing of land boundaries and positions of the United States Public Land Survey System;

24 (2) The monumentation of land boundaries, land boundary corners and corners of the
25 United States Public Land Survey System;

26 (3) The subdivision of land into smaller tracts and preparation of property descriptions;

27 (4) The survey and location of rights-of-way and easements;

28 (5) Creating, preparing, or modifying electronic or computerized data relative to the
29 performance of the activities in subdivisions (1) to (4) of this subsection;

30 (6) Consultation, investigation, design surveys, evaluation, planning, design and execution
31 of surveys;

32 (7) The preparation of any drawings showing the shape, location, dimensions or area of
33 tracts of land;

34 (8) Monumentation of geodetic control and the determination of their horizontal and
35 vertical positions;

36 (9) Establishment of state plane coordinates;

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1 (10) Topographic surveys and the determination of the horizontal and vertical location of
2 any physical features on, under or above the land;

3 (11) The preparation of plats, maps or other drawings showing elevations and the locations
4 of improvements and the measurement and preparation of drawings showing existing improvements
5 after construction;

6 (12) Layout of proposed improvements;

7 (13) The determination of azimuths by astronomic observations.

8 2. None of the specific duties listed in subdivisions (4) to (13) of subsection 1 of this section
9 are exclusive to professional land surveyors unless they affect real property rights. For the purposes
10 of this section, the term "real property rights" means a recordable interest in real estate as it affects
11 the location of land boundary lines. The validity of any document prepared between August 27,
12 2014, and August 28, 2015, by a provider of utility or communications services purporting to affect
13 real property rights shall remain valid and enforceable notwithstanding that any legal description
14 contained therein was not prepared by a professional land surveyor.

15 3. Professional land surveyors shall be in responsible charge of all drawings, maps, surveys,
16 and other work product that can affect the health, safety, and welfare of the public within their scope
17 of practice.

18 4. Nothing in this section shall be construed to preclude the practice of architecture or
19 professional engineering or professional landscape architecture as provided in sections 327.091,
20 327.181, and 327.600.

21 5. Nothing in this section shall preclude an attorney licensed in this state or a title insurance
22 company, agent, or agency licensed in this state from preparing maps or other drawings, conducting
23 investigations into real estate titles and descriptions, and preparing property and land descriptions
24 for clients or customers in connection with any real estate transaction; provided that such work does
25 not include specific duties required of surveyors for field survey work, such as locating public land
26 corners, locating and setting corners and boundaries in the field, or other similar work done on real
27 property requiring field work and specific survey equipment."; and

28
29 Further amend said bill by amending the title, enacting clause, and intersectional references
30 accordingly.