

SENATE AMENDMENT NO. _____

Offered by _____ Of _____

Amend SS/SCS/Senate Bill No. 37, Page 1, Section Title _____, Lines 3-4,

2 by striking the words "the offense of promoting prostitution" and
 3 inserting in lieu thereof the following: "victims of certain
 4 crimes"; and

5 Further amend said bill and page, section A, line 3 by
 6 inserting after all of said line the following:

7 "441.920. 1. For purposes of this section, the following
 8 terms mean:

9 (1) "Domestic violence", as such term is defined in section
 10 455.010;

11 (2) "Sexual assault", as such term is defined in section
 12 455.010;

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

14 2. No applicant, tenant, or lessee shall be denied tenancy,
 15 be evicted from the premises, or found to be in violation of a
 16 lease agreement on the basis of or as a direct result of the fact
 17 that the applicant, tenant, or lessee is, has been, or is in
 18 imminent danger of becoming a victim of domestic violence, sexual
 19 assault, or stalking if the applicant, tenant, or lessee
 20 otherwise qualifies for tenancy or occupancy in the premises.

21 The provisions of this subsection shall not apply if:

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

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

5 3. In any action brought by a landlord against a tenant
6 under this chapter, chapter 534, or chapter 535, a tenant shall
7 have an affirmative defense and not be liable for rent for the
8 period after which the tenant vacates the premises owned by the
9 landlord if, by a preponderance of the evidence, the court finds
10 that the tenant was a victim or was in imminent danger of
11 becoming a victim of domestic violence, sexual assault, or
12 stalking and the tenant notified the landlord and has provided
13 any requested documentation under subsection 4 of this section.

14 4. An applicant, tenant, or lessee shall qualify for the
15 protections under this section if he or she provides a statement
16 of such domestic violence, sexual assault, or stalking to his or
17 her landlord or the property owner. If the landlord or property
18 owner requests, the applicant, tenant, or lessee shall provide
19 documentation of the domestic violence, sexual assault, or
20 stalking, which may be in any of the following forms:

21 (1) A document signed by an employee of a victim service
22 provider, or a health care professional or mental health
23 professional from whom the victim has sought assistance relating
24 to domestic violence, sexual assault, stalking, or the effects of
25 abuse stating that, under penalty of perjury, the individual
26 believes in the occurrence of the incident of domestic violence,
27 sexual assault, or stalking that is the ground for protection,
28 and that the incident meets the applicable definition of domestic
29 violence, sexual assault, or stalking. Such document shall be

1 signed by the victim; or

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

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

9 6. Any landlord or property owner may impose a reasonable
10 termination fee on a tenant or lessee who desires to terminate a
11 lease before the expiration date of such lease under the
12 provisions of this section.

13 7. The provisions of this section shall only apply to
14 residential properties."; and

15 Further amend the title and enacting clause accordingly.