

SENATE BILL NO. 1313

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

4819S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 442, RSMo, by adding thereto one new section relating to homeowners' associations.

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

Section A. Chapter 442, RSMo, is amended by adding thereto
2 one new section, to be known as section 442.405, to read as
3 follows:

442.405. 1. As used in this section, "homeowners'
2 association" or "association" shall mean a nonprofit
3 corporation or unincorporated association of homeowners
4 created under a declaration to own and operate portions of a
5 planned community or other residential subdivision that has
6 the power under the declaration to assess association
7 members to pay the costs and expenses incurred in the
8 performance of the association's obligations under the
9 declaration or tenants-in-common with respect to the
10 ownership of common ground or amenities of a planned
11 community or other residential subdivision. This term shall
12 not include a condominium unit owners' association as
13 defined and provided for in subdivision (3) of section 448.1-
14 103 or a residential cooperative.

15 2. (1) Notwithstanding any provision of law to the
16 contrary, a homeowners' association shall dissolve ten years
17 following the date of establishment unless such association

18 is renewed by a majority vote of eighty-five percent of all
19 members of the association at an election held within ninety
20 days of the date of dissolution. Any association failing to
21 receive a majority vote of eighty-five percent for renewal
22 shall be immediately dissolved, and the member homeowners
23 shall not be subject to any other association for a period
24 of ten years unless approved by eighty-five percent of such
25 homeowners.

26 (2) Any association renewed pursuant to subdivision
27 (1) of this subsection shall be subject to renewal every ten
28 years.

29 (3) Any association in existence for a period of at
30 least ten years as of August 28, 2026, shall hold an
31 election pursuant to subdivision (1) of this subsection no
32 later than December 31, 2026, and every ten years thereafter.

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