

SENATE BILL NO. 1739

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR WASHINGTON.

6253S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to solicitations to buy real property, with penalty provisions.

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

Section A. Chapter 407, RSMo, is amended by adding thereto
2 one new section, to be known as section 407.3700, to read as
3 follows:

407.3700. 1. A person shall not contact a property
2 owner more than one time in a calendar year with an
3 unsolicited offer to buy the property owner's real property.

4 2. The unsolicited offer to buy real property under
5 subsection 1 of this section shall include, but is not
6 limited to, any communication made through a telephone call,
7 text message, email, mail, facsimile transmission, or any
8 other form of communication.

9 3. When a person contacts a property owner with an
10 unsolicited offer to buy the property owner's real property
11 under this section, prior to making the solicitation, the
12 person shall provide the property owner with:

- 13 (1) The person's legal name;
14 (2) The person's address;
15 (3) The person's telephone number where the person may
16 be contacted; and

17 (4) The person's email address where the person may be
18 contacted.

19 4. Communication between a person and a property owner
20 shall not be considered an unsolicited offer to buy real
21 property, if such communication is part of an ongoing
22 negotiation to acquire real property, until the property
23 owner states that the property owner does not wish to
24 continue the negotiations, or, in the case of negotiations
25 occurring through text message, writes that the property
26 owner does not wish to continue negotiations.

27 5. The attorney general shall enforce the provisions
28 of this section. Violations of this section may be reported
29 to the attorney general. Within twenty days of receiving a
30 report for any violation of this section, the attorney
31 general shall send a written notice to the property owner
32 that the attorney general is conducting an investigation as
33 to whether a violation occurred. After the investigation is
34 completed, the attorney general shall send a second written
35 notice to the property owner describing the findings of the
36 investigation. The second written notice shall also include
37 information describing how the property owner may be placed
38 on the no-call list pursuant to sections 407.1101 and
39 407.1110.

40 6. If the attorney general believes that a violation
41 occurred, the attorney general shall commence a civil action
42 in a court of competent jurisdiction. If the court finds
43 that a violation occurred, the court may grant injunctive
44 relief, civil penalties, damages, attorney fees, and any
45 such other relief the court finds appropriate. A civil
46 penalty shall not exceed two thousand dollars per violation.

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