

FIRST REGULAR SESSION

HOUSE BILL NO. 1066

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TRENT.

1226H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 441.233, RSMo, and to enact in lieu thereof two new sections relating to the changing of locks by a landlord.

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

Section A. Section 441.233, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 441.232 and 441.233, to read as follows:

441.232. 1. Subject to subsection 2 of this section, if a tenant requests that a landlord change the locks to his or her premises, a landlord shall approve such request so long as the tenant making the request provides the landlord with a certified copy of a document specifying that such tenant or child of such tenant has an ex parte or a full order of protection against a person who is also a tenant of that specific premises and such document:

(1) Directs the tenant who is the subject of the document to avoid the residence of the tenant or child of the tenant requesting that the locks be changed; or

(2) Orders the tenant who is the subject of the document not to contact the tenant or child of the tenant requesting that the locks be changed.

2. A landlord may have the locks changed, or may give the tenant permission to change the locks, within forty-eight hours after receiving a request and a certified copy of a document described in subsection 1 of this section. The tenant shall be responsible for the cost of changing the locks prior to the locks being changed. If the landlord gives the tenant permission to change the locks, within a reasonable time after any lock has been changed, the tenant shall provide the landlord with a key for the changed lock.

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.

17 **3. Nothing in this section shall be construed to relieve a tenant who is the subject**
18 **of the document provided to the landlord under subsection 1 of this section from any**
19 **obligation under a rental agreement or any other liability to the landlord.**

20 **4. A landlord is not liable for civil damages for any action taken to comply with this**
21 **subsection.**

 441.233. 1. Except as provided in section 441.065 **or 441.232**, a landlord or its agent
2 who removes or excludes a tenant or the tenant's personal property from the premises without
3 judicial process and court order, or causes such removal or exclusion, or causes the removal of
4 the doors or locks to such premises, shall be deemed guilty of forcible entry and detainer as
5 described in chapter 534.

6 2. Any landlord or its agent who willfully diminishes services to a tenant by interrupting
7 or causing the interruption of essential services, including but not limited to electric, gas, water,
8 or sewer service, to the tenant or to the premises shall be deemed guilty of forcible entry and
9 detainer as described in chapter 534; provided however, this section shall not be applicable if a
10 landlord or its agent takes such action for health or safety reasons.

✓