2019 End of Session Report

This year’s general assembly session was a particularly interesting one for Community Associations Institute’s (CAI) Missouri Legislative Action Committee (MO LAC), in no small part due to repeated Senate filibusters by a group of Republicans calling themselves the Conservative Caucus. Only 46 House bills (including 17 Appropriations bills) were truly agreed to and finally passed, and 46 Senate bills (including one Joint Resolution imposing term limits on all statewide offices which will be submitted to the voters next year for approval) were truly agreed and finally passed. However, session did end with a bang; on the last two days of session, the two chambers managed to send the Governor 46 bills, or half the total bills passed. The session also produced a concurrent resolution authorizing the contingent issuance of $301 million in bonds to fund road and bridge repairs. Below is a brief list of highlights from the 2019 General Assembly:

Bill that Passed

- **Nuisance**: SB 203 modifies how actions against another property owner whose property is a nuisance are brought in certain cities and counties. It specifies how notice of a nuisance is given to the property owner or tenant of the property. This bill modifies how proceedings seeking an injunctive relief against the property owner are conducted. Property owners and neighborhood organizations seeking injunctive relief will no longer have to show they are suffering actual damages as a result of the nuisance in order to bring such an action. The bill permits attorney’s fees being awarded in certain circumstances to the party who brought the action. It also modifies a defense available to property owners who are acting in good faith to comply with all orders rather than an order issued by the Department of Natural Resources, the U.S. Environmental Protection Agency, or the Office of the Attorney General. The bill will apply only to property owners and neighborhood organizations in Kansas City and the City of St. Louis and repeals reference to other political subdivisions.

Bills that Failed

- **Service animals**: HB 107 would have made it a misdemeanor to misrepresent that a pet is a service animal and provides that complaints about such misrepresentation should be submitted to the Human Rights Commission; however, the bill also makes filing a false complaint a misdemeanor. This bill went silent after being referred to a Senate committee.
- **Property Assessment Clean Energy Act**: HB 215 would have expanded current PACE law to include residential projects, including individual units within a condominium. These energy efficiency improvements are repaid by the owner through the owner’s annual real property tax bill for a period of up to twenty years, and non-payment or late payment results in a priority tax lien and penalties and interest applicable to unpaid real estate taxes. Residential projects may be paid-off early without penalty. The bill repeatedly requires “recording” of the PACE agreement but does not appear to specify where such “recording” shall occur. The committee substitute eliminates individual condominium units and simply defines “residential” as structures of four units or less. The substitute also imposes some additional requirements on a PACE contract. This bill died in the Senate.
For more information on the MO LAC’s activities and community association legislation in Missouri, visit www.caionline.org/MOLAC.

Your Assistance is Needed

The CAI Missouri LAC uses professional, paid lobbyists as a vital and integral part of the legislative process. As volunteers, CAIMO LAC members significantly rely on this highly effective professional representation. To help fund the CAI MO LAC advocacy activities in 2019 and beyond, donations are vital to our continued successes. We encourage donations from Missouri community associations and individuals. Please visit www.caionline.org/lacdonate/ and donate to “Missouri” to support our continued efforts.

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