

CCS HCS SS SCS SB 298 -- LIQUOR SALES; ADULT CABARETS

This bill makes changes to the liquor sales laws. The bill:

(1) Removes the requirement that written consent be obtained before a license to sell liquor within 100 feet of a school or church will be granted, but allows the local municipality to deny a license for the sale of liquor within 300 feet of a school or church. Liquor retailers licensed before January 1, 2004, are not affected by this law;

(2) Changes the time of opening from 11:00 a.m. to 9:00 a.m. for the sale of packaged liquor at retail and the sale of liquor on Sundays in restaurant bars, amusement places, and places of entertainment. The time of opening for restaurant bars located in a sports stadium in Jackson County is changed from 11:00 a.m. to 8:00 a.m. The occupancy requirement for places of entertainment in St. Louis County, Jackson County, St. Louis City, and Kansas City is removed from current law. Sunday sales are also expanded to cover a business having at least 40 rooms for transient guests. Businesses having over 40 rooms are also excluded from license limits requirements;

(3) Prohibits a licensed microbrewer from having more than 10 liquor licenses. The bill also exempts a microbrewer who is licensed to sell intoxicating liquor by the drink at retail, when selling liquor that is produced on the premises, from state law requiring all liquor purchases to be made from a licensed wholesaler;

(4) Allows persons licensed to sell malt liquor at retail by the drink to also sell 3.2% beer by the drink. The fee for the license is \$50. Any person licensed to sell malt liquor or 3.2% beer at retail may sell between the hours of 9:00 a.m. and midnight on Sundays;

(5) Prohibits retailers of alcohol from selling alcohol in mutilated, torn, or cut cartons. Retailers may not repackage liquor in a manner misleading to the consumer or that results in required labeling being omitted or obscured;

(6) Creates a rebuttable presumption that the contents of a manufacturer-sealed container that is labeled as containing alcohol or intoxicating beer does contain the listed contents. The presumption currently exists only for the sale of liquor to minors;

(7) Requires the purchaser of liquor to provide upon demand by a liquor retailer a valid and unexpired driver's license from any state or a passport. Under current law, an expired license or

passport may be used to purchase liquor;

(8) Repeals the section of law requiring the seller of malt liquor to label the malt liquor container with the name and location of the manufacturer;

(9) Repeals provisions of current law that allow savings and loan associations and credit unions to sell intoxicating liquor they have repossessed as collateral;

(10) Prohibits persons operating any premises where food, beverage, or entertainment are sold who does not possess a license for the sale of liquor from permitting the drinking of any liquor in the premises;

(11) Changes the name of the Division of Liquor Control to the Division of Alcohol and Tobacco Control;

(12) Allows liquor control officers to enforce state laws related to tobacco products;

(13) Prohibits persons less than 19 years of age from dancing in an adult cabaret and a proprietor of an adult cabaret from allowing a person under 19 years of age to dance. Persons violating this provision are guilty of a class A misdemeanor;

(14) Requires a liquor retailer to attach a label to each keg that is sold for off-premise consumption. The bill sets requirements for both the liquor retailer and the purchaser of a keg. Provisions of this law preempt all local laws regulating keg registration and become effective on July 1, 2004; and

(15) Creates a new Sunday sales license for resort, convention trade, and enterprise zone areas in St. Louis and Kansas City. The bill outlines the qualifications and restrictions for the new license.