

SECOND REGULAR SESSION

HOUSE BILL NO. 901

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DEEKEN (Sponsor), KELLY (36), MEINERS, CUNNINGHAM (145), HOLAND, WALKER, REINHART, DUSENBERG, RIBACK WILSON (25), BEAN, SKAGGS AND BISHOP (Co-sponsors).

Pre-filed December 18, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3280L.011

AN ACT

To amend chapter 311, RSMo, by adding thereto two new sections relating to the reduction of alcohol-related problems, with a referendum clause.

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

Section A. Chapter 311, RSMo, is amended by adding thereto two new sections, to be known as sections 311.551 and 311.552, to read as follows:

311.551. 1. There is hereby created in the state treasury a special trust fund, to be known as the "Fund for the Reduction of Alcohol-Related Problems". The state treasurer shall credit to and deposit in the fund for reduction of alcohol-related problems all amounts received pursuant to this section.

2. The state treasurer shall invest moneys in the fund for the reduction of alcohol-related problems in the same manner as surplus state funds are invested pursuant to section 30.260, RSMo. All earnings resulting from the investment of moneys in the fund shall be credited to the fund.

3. Funds appropriated by the general assembly from the fund for the reduction of alcohol-related problems shall be used only for the purposes authorized pursuant to this section and shall not be used to supplant any existing program or service.

4. Appropriation of funds by the general assembly pursuant to this section, shall be guided by the following considerations:

(1) The effects of alcoholic beverages on the health, safety, and welfare of the people of Missouri;

(2) Demonstrated need for well-coordinated programs and services toward the reduction of alcohol-related problems at the community level;

- 18 **(3) Demonstrated readiness to develop, implement, and evaluate programs and**
19 **services as components of a comprehensive plan to reduce alcohol-related problems;**
- 20 **(4) Support for programs and services pursuant to the drug-free public workforce**
21 **act provided in chapter 105, RSMo, and the drug-free schools act provided in chapter 161,**
22 **RSMo;**
- 23 **(5) Support for a community grants program, pursuant to section 191.835, or**
24 **successor statute;**
- 25 **(6) Support for rehabilitative alcohol and drug abuse services, including preventive,**
26 **diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals**
27 **in an individual or group setting pursuant to section 208.152, RSMo;**
- 28 **(7) Demonstrated need for resources to address the reduction of alcohol-related**
29 **problems in institutions of elementary and secondary education, alternate schools, and**
30 **juvenile treatment facilities, pursuant to chapters 210 and 211, RSMo, as well as**
31 **institutions of higher education;**
- 32 **(8) Support for correctional programs for the monitoring, control, and treatment**
33 **of certain substance abuse offenders and placement on parole with supervision pursuant**
34 **to section 217.364, RSMo, and section 559.607, RSMo;**
- 35 **(9) Support for treatment programs that qualify as a substance abuse traffic**
36 **offender program, programs to provide education or rehabilitation services, including**
37 **individuals determined to be prior or persistent offenders of alcohol-related traffic**
38 **offender laws, pursuant to section 302.540, RSMo, and section 577.049, RSMo;**
- 39 **(10) Support for enforcement of laws dealing with liquor control, with special**
40 **emphasis on sale of alcoholic beverages to persons under the age of twenty-one, pursuant**
41 **to this chapter and chapter 312, RSMo;**
- 42 **(11) Support for alternatives for the judicial system to dispose of cases which stem**
43 **from alcohol or substance abuse, combining judicial supervision, drug testing and**
44 **treatment as provided by a drug court established by any circuit court, pursuant to section**
45 **478.001, RSMo;**
- 46 **(12) Support for enforcement of laws dealing with alcohol-related traffic safety and**
47 **other public safety offenses pursuant to chapter 577, RSMo;**
- 48 **(13) Support for programs and services required for completion of a substance**
49 **abuse traffic offender program for any person under the age of twenty-one determined to**
50 **have violated a state, county, or municipal law involving the possession or use of alcohol**
51 **pursuant to section 577.525, RSMo;**
- 52 **(14) Support for programs and services for alcohol-related crime prevention**
53 **provided under contract with local law enforcement or prevention-related organizations,**

54 including programs provided in schools pursuant to section 589.310, RSMo;

55 (15) Support for programs ensuring that alcohol and drug abuse prevention,
56 evaluation, treatment, and rehabilitation services are accessible, wherever possible,
57 including residential facilities, day programs, and specialized services pursuant to section
58 631.010, RSMo;

59 (16) Support for plans and recommendations made by the Missouri advisory
60 council on alcohol and drug abuse, on the prevention, treatment, and rehabilitation for
61 persons affected by alcohol and drug abuse, including evaluation, care, technologies,
62 preparation, training, retraining, and distribution of resources, methods, means, and
63 procedures to improve and upgrade the service delivery system for citizens of this state
64 pursuant to section 631.020, RSMo, and support for the recommendations of regional
65 advisory councils, based on assessment of needs, including any special target populations
66 of unserved, underserved, or inappropriately served persons pursuant to section 631.045,
67 RSMo.

68 5. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:

69 (1) The provisions of the new program authorized under this section shall
70 automatically sunset six years after the effective date of this section unless reauthorized by
71 an act of the general assembly; and

72 (2) If such program is reauthorized, the program authorized under this section
73 shall automatically sunset twelve years after the effective date of the reauthorization of this
74 section; and

75 (3) This section shall terminate on September first of the calendar year immediately
76 following the calendar year in which the program authorized under this section is sunset.

311.552. 1. In addition to the charges imposed in section 311.520, the director of
2 revenue shall collect an additional charge of eighteen cents per gallon or fraction thereof
3 for the privilege of selling malt liquors containing alcohol in excess of three and two-tenths
4 percent by weight. The additional charge shall be paid and collected in the same manner
5 and at the same time as the charges imposed by section 311.520.

6 2. In addition to the charges collected by section 312.230, RSMo, the director of
7 revenue shall collect an additional charge of eighteen cents per gallon or fraction thereof
8 for the privilege of selling nonintoxicating beer. The additional charge shall be paid and
9 collected in the same manner and at the same time as the charges imposed by section
10 311.520.

11 3. In addition to the charges imposed by subdivision (1) of subsection 1 of section
12 311.550, the director of revenue shall collect an additional charge of two dollars per gallon
13 or fraction thereof for the privilege of selling spirituous liquors, including brandy, rum,

14 **whiskey, and gin, and other spirituous liquors and alcohol for beverage purposes. The**
15 **additional charge shall be paid and collected in the same manner and at the same time as**
16 **the charges imposed by subdivision (1) of subsection 1 of section 311.550.**

17 **4. In addition to the charges collected by subdivision (2) of subsection 1 of section**
18 **311.550 and section 311.554, the director of revenue shall collect an additional charge of**
19 **thirty-six cents per gallon or fraction thereof for the privilege of selling wines. The**
20 **additional charge shall be paid and collected in the same manner and at the same time as**
21 **the charges imposed by subdivision (2) of subsection 1 of section 311.550 and section**
22 **311.554.**

23 **5. The moneys derived from the additional charges imposed by subsections 1 to 4**
24 **of this section shall be deposited by the state treasurer to the credit of the fund for the**
25 **reduction of alcohol-related problems, established in section 311.551. The money in the**
26 **fund shall be appropriated annually by the general assembly solely for the reduction of**
27 **alcohol-related problems as provided in section 311.551.**

28 **6. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:**

29 **(1) The provisions of the new program authorized under this section shall**
30 **automatically sunset six years after the effective date of this section unless reauthorized by**
31 **an act of the general assembly; and**

32 **(2) If such program is reauthorized, the program authorized under this section**
33 **shall automatically sunset twelve years after the effective date of the reauthorization of this**
34 **section; and**

35 **(3) This section shall terminate on September first of the calendar year immediately**
36 **following the calendar year in which the program authorized under this section is sunset.**

Section B. Section A of this act is hereby submitted to the qualified voters of this state
2 for approval or rejection at an election which is hereby ordered and which shall be held and
3 conducted on the Tuesday immediately following the first Monday in November, 2004, or at a
4 special election to be called by the governor for that purpose, pursuant to the laws and
5 constitutional provisions of this state applicable to general elections and the submission of
6 referendum measures by initiative petition, and it shall become effective when approved by a
7 majority of the votes cast thereon at such election and not otherwise.