

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 165, Page 1, In the Title, Lines 2-3, by  
2 deleting the phrase "the advertisement of alcohol prices" and inserting in lieu thereof the word  
3 "alcohol"; and

4  
5 Further amend said bill and page, Section 311.067, Line 12, by inserting after all of said section and  
6 line the following:

7  
8 "311.176. 1. Any person possessing the qualifications and meeting the requirements of this  
9 chapter who is licensed to sell intoxicating liquor by the drink at retail for consumption on the  
10 premises in a city not located within a county, may apply to the supervisor of alcohol and tobacco  
11 control for a special permit to remain open on each day of the week until 3:00 a.m. of the morning of  
12 the following day. The time of opening on Sunday may be 9:00 a.m. The provisions of this section  
13 and not those of section 311.097 regarding the time of closing shall apply to the sale of intoxicating  
14 liquor by the drink at retail for consumption on the premises on Sunday. To qualify for such a  
15 permit, the premises of such an applicant must be located in an area which has been designated as a  
16 convention trade area by the governing body of the city and the applicant must meet at least one of  
17 the following conditions:

18 (1) The business establishment's annual gross sales for the year immediately preceding the  
19 application for extended hours equals one hundred fifty thousand dollars or more; or

20 (2) The business is a resort. For purposes of this section, a "resort" is defined as any  
21 establishment having at least sixty rooms for the overnight accommodation of transient guests and  
22 having a restaurant located on the premises; or

23 (3) The business is a charitable, fraternal, religious, service, or veterans' organization which  
24 has obtained an exemption from the payment of federal income taxes as provided in section  
25 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the United  
26 States Internal Revenue Code of 1986, as amended.

27 2. An applicant granted a special permit pursuant to this section shall, in addition to all other  
28 fees required by this chapter, pay an additional fee of three hundred dollars a year payable at the time  
29 and in the same manner as its other license fees.

30 311.178. 1. Any person possessing the qualifications and meeting the requirements of this  
31 chapter who is licensed to sell intoxicating liquor by the drink at retail for consumption on the  
32 premises in a county of the first classification having a charter form of government and not  
33 containing all or part of a city with a population of over three hundred thousand may apply to the  
34 supervisor of alcohol and tobacco control for a special permit to remain open on each day of the  
35 week until 3:00 a.m. of the morning of the following day. The time of opening on Sunday may be  
36 9:00 a.m. The provisions of this section and not those of section 311.097 regarding the time of

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 closing shall apply to the sale of intoxicating liquor by the drink at retail for consumption on the  
2 premises on Sunday. The premises of such an applicant shall be located in an area which has been  
3 designated as a convention trade area by the governing body of the county and the applicant shall  
4 meet at least one of the following conditions:

5 (1) The business establishment's annual gross sales for the year immediately preceding the  
6 application for extended hours equals one hundred fifty thousand dollars or more; or

7 (2) The business is a resort. For purposes of this subsection, a "resort" is defined as any  
8 establishment having at least sixty rooms for the overnight accommodation of transient guests and  
9 having a restaurant located on the premises; or

10 (3) The business is a charitable, fraternal, religious, service, or veterans' organization which  
11 has obtained an exemption from the payment of federal income taxes as provided in section  
12 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the United  
13 States Internal Revenue Code of 1986, as amended.

14 2. Any person possessing the qualifications and meeting the requirements of this chapter  
15 who is licensed to sell intoxicating liquor by the drink at retail for consumption on the premises in a  
16 county of the third classification without a township form of government having a population of  
17 more than twenty-three thousand five hundred but less than twenty-three thousand six hundred  
18 inhabitants, a county of the third classification without a township form of government having a  
19 population of more than nineteen thousand three hundred but less than nineteen thousand four  
20 hundred inhabitants or a county of the first classification without a charter form of government with  
21 a population of at least thirty-seven thousand inhabitants but not more than thirty-seven thousand one  
22 hundred inhabitants may apply to the supervisor of alcohol and tobacco control for a special permit  
23 to remain open on each day of the week until 3:00 a.m. of the morning of the following day. The  
24 time of opening on Sunday may be 9:00 a.m. The provisions of this section and not those of section  
25 311.097 regarding the time of closing shall apply to the sale of intoxicating liquor by the drink at  
26 retail for consumption on the premises on Sunday. The applicant shall meet all of the following  
27 conditions:

28 (1) The business establishment's annual gross sales for the year immediately preceding the  
29 application for extended hours equals one hundred thousand dollars or more;

30 (2) The business is a resort. For purposes of this subsection, a "resort" is defined as any  
31 establishment having at least seventy-five rooms for the overnight accommodation of transient  
32 guests, having at least three thousand square feet of meeting space and having a restaurant located on  
33 the premises; and

34 (3) The applicant shall develop, and if granted a special permit shall implement, a plan  
35 ensuring that between the hours of 1:30 a.m. and 3:00 a.m. no sale of intoxicating liquor shall be  
36 made except to guests with overnight accommodations at the licensee's resort. The plan shall be  
37 subject to approval by the supervisor of alcohol and tobacco control and shall provide a practical  
38 method for the division of alcohol and tobacco control and other law enforcement agencies to  
39 enforce the provisions of subsection 3 of this section.

40 3. While open between the hours of 1:30 a.m. and 3:00 a.m. under a special permit issued  
41 pursuant to subsection 2 of this section, it shall be unlawful for a licensee or any employee of a  
42 licensee to sell intoxicating liquor to or permit the consumption of intoxicating liquor by any person  
43 except a guest with overnight accommodations at the licensee's resort.

44 4. An applicant granted a special permit pursuant to this section shall, in addition to all other  
45 fees required by this chapter, pay an additional fee of three hundred dollars a year payable at the time  
46 and in the same manner as its other license fees.

47 5. The provisions of this section allowing for extended hours of business shall not apply in  
48 any incorporated area wholly located in any county of the first classification having a charter form of

1 government which does not contain all or part of a city with a population of over three hundred  
2 thousand inhabitants until the governing body of such incorporated area shall have by ordinance or  
3 order adopted the extended hours authorized by this section."; and  
4  
5 Further amend said bill by amending the title, enacting clause, and intersectional references  
6 accordingly.