

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 279, Page 3, Section 311.201, Line 57, by inserting after all of said section
2 the following:

3 "311.550. 1. In addition to all other licenses and charges, there shall be paid to and collected
4 by the director of revenue charges as follows:

5 (1) For the privilege of selling in the state of Missouri spirituous liquors, including brandy,
6 rum, whiskey, and gin, and other spirituous liquors and alcohol for beverage purposes, there shall be
7 paid, and the director of revenue shall be entitled to receive, the sum of two dollars per gallon or
8 fraction thereof;

9 (2) For the privilege of selling wines, the sum of thirty cents per gallon to the credit of the
10 agriculture protection fund created under section 261.200 to be used solely for agricultural business
11 development and marketing-related functions of the department of agriculture;

12 (3) For the privilege of selling beer and malt liquor, the sum of eight cents per gallon.

13 2. The person who shall first sell such liquor to any person in this state shall be liable for the
14 payment, except that no refund of any tax collected and remitted to the director of revenue by a retail
15 seller upon gross receipts from a sale of beer, liquor or wine subject to the charges contained in
16 sections 311.520, 311.550 and 311.554 shall be claimed for refund under chapter 144 for any amount
17 illegally or erroneously overcharged or overcollected as a result of imposition of sales tax by the
18 retail seller upon amounts representing the charges imposed under this chapter.

19 3. Any person who sells to any person within this state any intoxicating liquors mentioned in
20 subdivision (1) of subsection 1, unless the charge hereby imposed is paid, is guilty of a felony and
21 shall be punished by imprisonment by the state department of corrections for a term of not less than
22 two years nor more than five years, or by imprisonment in the county jail for a term of not less than
23 one month nor more than one year, or by a fine of not less than fifty dollars nor more than one
24 thousand dollars, or by both such fine and imprisonment.

25 4. It shall be unlawful for any person to remove the contents of any container containing any
26 of the intoxicating liquors mentioned in subdivision (1) of subsection 1 without destroying such
27 container, or to refill any such container, in whole or in part, with any of the liquors mentioned in
28 subdivision (1) of subsection 1. Any person violating the provisions of this subsection shall be guilty
29 of a misdemeanor.

30 5. Every manufacturer, out-state solicitor and wholesale dealer licensed under this chapter
31 shall make a true duplicate invoice of the same, showing the date, amount and value of each class of
32 such liquors shipped or delivered, and retain a duplicate thereof, subject to the use and inspection of
33 the supervisor of liquor control and his representatives for two years.

34 6. Any person who shall sell in this state any intoxicating liquor without first having
35 procured a license from the supervisor of liquor control authorizing him to sell such intoxicating
36 liquor is guilty of a felony and upon conviction shall be punished by imprisonment by the state

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1 department of corrections for a term of not less than two years nor more than five years, or by
2 imprisonment in the county jail for a term of not less than three months nor more than one year, or
3 by a fine of not less than one hundred dollars nor more than one thousand dollars, or by both such
4 fine and imprisonment."; and
5
6 Further amend said bill by amending the title, enacting clause, and intersectional references
7 accordingly.