

HCS HB 165 -- ALCOHOL ADVERTISING

SPONSOR: Gosen

COMMITTEE ACTIONS: Voted "Do Pass with Amendments" by the Standing Committee on Small Business by a vote of 18 to 0. Voted "Do Pass with HCS" by the Select Committee on Commerce by a vote of 8 to 0.

This bill prohibits the Division of Alcohol and Tobacco Control or any other state agency from prohibiting the advertising of price discounts or sales on alcoholic beverages offered for retail sale in the original package for consumption off the premises provided that the retailer is responsible for assuming the cost of the sale or price discount excluding any manufacturer incentives, rebates, or coupons.

The supervisor of liquor control may consider the implications of the First Amendment of the Constitution of the United States and any other constitutional requirements when deciding whether to promulgate any new regulations not specifically required by general law and when considering the repeal or modification of existing regulations as allowed by general law.

PROPOSERS: Supporters say that this bill is a modification to alcohol advertising in Missouri to allow complete pricing information to the public. Currently, a business can advertise only the price in a printed advertisement. However, in a store, a business can have signs that say there is a sale on alcohol. There is an issue with border stores operating over state lines that must print two sets of ads for Missouri and the other state. Missouri's border states do not have the same restrictions that Missouri has. There is selective enforcement of the law. Merchants trying to comply see others who are not and get very frustrated at the uneven enforcement. This will be restricted to packaged liquor and not liquor by the drink.

Testifying for the bill were Representative Gosen; Anheuser-Busch Companies; Missouri Press Association; Missouri Broadcasters Association; Robert Wiegert, Schnuck Markets; Missouri Beer Wholesalers Association; Missouri Retailers Association; and Missouri Grocers Associations.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say we want free and fair dissemination of information.

Testifying on the bill was Missouri Petroleum Marketers & Convenience Store Association.