

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

Offered By

1 AMEND House Bill No. 1664, Page 2, Section 311.055, Lines 12-13, by deleting all of said lines  
2 and inserting in lieu thereof the following:

3 "311.485, 311.486, or 311.487,] or on any tax exempt organization's licensed premises as  
4 described in section 311.090."; and

5  
6 Further amend said bill, section, and page, Lines 19-20, by deleting all of said lines and inserting in  
7 lieu thereof the following:

8 "311.486, or 311.487,] or on any tax exempt organization's licensed premises as described in  
9 section 311.090."; and

10  
11 Further amend said bill, Page 3, Section 311.070, Line 12, by inserting a closing bracket ("]") after  
12 "Sunday"; and

13  
14 Further amend said section and page, Lines 16-17, by deleting all of said lines and inserting in lieu  
15 thereof the following:

16 "manner as they apply to establishments licensed under the provisions of section [311.085,]  
17 311.090[, or 311.095]."; and

18  
19 Further amend said bill and section, Page 10, Line 284, by inserting the following after all of said  
20 line:

21 "311.090. 1. Any person who possesses the qualifications required by this chapter, and who  
22 meets the requirements of and complies with the provisions of this chapter, and the ordinances, rules  
23 and regulations of the incorporated city in which such licensee proposes to operate his business,  
24 may apply for, and the supervisor of alcohol and tobacco control may issue, a license to sell  
25 intoxicating liquor, as defined in this chapter, by the drink at retail for consumption on the premises  
26 described in the application; provided, that no license shall be issued for the sale of intoxicating  
27 liquor, other than malt liquor as defined in section 311.490 [containing alcohol not in excess of five  
28 percent by weight], and light wines containing not in excess of fourteen percent of alcohol by  
29 weight made exclusively from grapes, berries and other fruits and vegetables, by the drink at retail  
30 for consumption on the premises where sold to any person other than a charitable, fraternal,  
31 religious, service or veterans' organization which has obtained an exemption from the payment of  
32 federal income taxes as provided in section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8),  
33 501(c)(10), 501(c)(19), or 501(d) of the United States Internal Revenue Code of 1954, as amended,  
34 in any incorporated city having a population of less than nineteen thousand five hundred inhabitants,  
35 until the sale of such intoxicating liquor, by the drink at retail for consumption on the premises  
36 where sold, shall have been authorized by a vote of the majority of the qualified voters of the city.

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

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

1 Such authority shall be determined by an election to be held in those cities having a population of  
 2 less than nineteen thousand five hundred inhabitants as determined by the last preceding federal  
 3 decennial census, under the provisions and methods set out in this chapter. Once such licenses are  
 4 issued in a city with a population of at least nineteen thousand five hundred inhabitants, any  
 5 subsequent loss of population shall not require the qualified voters of such a city to approve the sale  
 6 of such intoxicating liquor prior to the issuance or renewal of such licenses. No license shall be  
 7 issued for the sale of intoxicating liquor, other than malt liquor as defined in section 311.490  
 8 [containing alcohol not in excess of five percent by weight], and light wines containing not in  
 9 excess of fourteen percent of alcohol by weight made exclusively from grapes, berries and other  
 10 fruits and vegetables, by the drink at retail for consumption on the premises where sold, outside the  
 11 limits of such incorporated cities unless the licensee is a charitable, fraternal, religious, service or  
 12 veterans' organization which has obtained an exemption from the payment of federal income taxes  
 13 as provided in section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19),  
 14 or 501(d) of the United States Internal Revenue Code of 1954, as amended.

15 2. If any charitable, fraternal, religious, service, or veterans' organization has a license to  
 16 sell intoxicating liquor on its premises pursuant to this section and such premises includes two or  
 17 more buildings in close proximity, such permit shall be valid for the sale of intoxicating liquor at  
 18 any such building."; and  
 19

20 Further amend said bill, Page 12, Section 311.195, Line 18, by deleting all of said line and inserting  
 21 in lieu thereof the following:

22 "licensed under the provisions of section [311.085,] 311.090[, 311.095, or 311.097]."; and  
 23

24 Further amend said bill, Section 311.200, Pages 13-14, Lines 1-40, by deleting all of said lines and  
 25 inserting in lieu thereof the following:

26 "311.200. 1. [No license shall be issued for] For a permit authorizing the sale of  
 27 intoxicating liquor by grocers and other merchants and dealers in the original package direct to the  
 28 consumers but not for resale, a fee of three hundred dollars per year payable to the director of the  
 29 department of revenue shall be required. [in the original package, not to be consumed upon the  
 30 premises where sold, except to a person engaged in, and to be used in connection with, the operation  
 31 of one or more of the following businesses: a drug store, a cigar and tobacco store, a grocery store,  
 32 a general merchandise store, a confectionery or delicatessen store, nor to any such person who does  
 33 not have and keep in his store a stock of goods having a value according to invoices of at least one  
 34 thousand dollars, exclusive of fixtures and intoxicating liquors.] Under such license, no intoxicating  
 35 liquor shall be sold for on-premises consumption. This permit shall allow the licensee to conduct  
 36 wine, malt beverage, and distilled spirits tastings on the premises. [consumed on the premises  
 37 where sold nor shall any original package be opened on the premises of the vendor except as  
 38 otherwise provided in this law. For every license for sale at retail in the original package, the  
 39 licensee shall pay to the director of revenue the sum of one hundred dollars per year.]

40 2. [For a permit authorizing the sale of malt liquor not in excess of five percent by weight  
 41 by grocers and other merchants and dealers in the original package direct to consumers but not for  
 42 resale, a fee of fifty dollars per year payable to the director of the department of revenue shall be  
 43 required.] The phrase "original package" shall be construed and held to refer to any package  
 44 containing one or more standard bottles, cans, or pouches of beer. [Notwithstanding the provisions  
 45 of section 311.290, any person licensed pursuant to this subsection may also sell malt liquor at retail  
 46 between the hours of 9:00 a.m. and midnight on Sunday.]

47 3. [For every license issued for the sale of malt liquor at retail by drink for consumption on  
 48 the premises where sold, the licensee shall pay to the director of revenue the sum of fifty dollars per

1 year. [Notwithstanding the provisions of section 311.290, any person licensed pursuant to this  
 2 subsection may also sell malt liquor at retail between the hours of 9:00 a.m. and midnight on  
 3 Sunday.

4 4.] For every license issued for the sale of malt liquor, as defined in section 311.490, and  
 5 light wines containing not in excess of fourteen percent of alcohol by weight made exclusively from  
 6 grapes, berries and other fruits and vegetables, at retail by the drink for consumption on the  
 7 premises where sold, the licensee shall pay to the director of revenue the sum of [fifty] three  
 8 hundred dollars per year, which shall include the sale of intoxicating liquor in the original package.

9 [5.] 4. For every license issued for the sale of all kinds of intoxicating liquor, at retail by the  
 10 drink for consumption on premises of the licensee, the licensee shall pay to the director of revenue  
 11 the sum of [three] five hundred dollars per year, which shall include the sale of intoxicating liquor  
 12 in the original package.

13 [6.] 5. For every license issued to any railroad company, railway sleeping car company  
 14 operated in this state, for sale of all kinds of intoxicating liquor, as defined in this chapter, at retail  
 15 for consumption on its dining cars, buffet cars and observation cars, the sum of [one] five hundred  
 16 dollars per year. A duplicate of such license shall be posted in every car where such beverage is  
 17 sold or served, for which the licensee shall pay a fee of [one dollar] ten dollars for each duplicate  
 18 license.

19 [7.] 6. All applications for licenses shall be made upon such forms and in such manner as  
 20 the supervisor of alcohol and tobacco control shall prescribe. No license shall be issued until the  
 21 sum prescribed by this section for such license shall be paid to the director of revenue.

22 311.290. No person having a license issued pursuant to this chapter, nor any employee of  
 23 such person, shall sell, give away, or permit the consumption of any intoxicating liquor in any  
 24 quantity between the hours of 1:30 a.m. and 6:00 a.m. on each day of the week [weekdays and  
 25 between the hours of 1:30 a.m. Sunday and 6:00 a.m. Monday], upon or about his or her premises.  
 26 If the person has a license to sell intoxicating liquor by the drink, his premises shall be and remain a  
 27 closed place as defined in this section between the hours of 1:30 a.m. and 6:00 a.m. on each day of  
 28 the week [weekdays and between the hours of 1:30 a.m. Sunday and 6:00 a.m. Monday]. Where  
 29 such licenses authorizing the sale of intoxicating liquor by the drink are held by clubs, hotels, or  
 30 bowling alleys, this section shall apply only to the room or rooms in which intoxicating liquor is  
 31 dispensed; and where such licenses are held by restaurants or bowling alleys whose business is  
 32 conducted in one room only, then the licensee shall keep securely locked during the hours and on  
 33 the days specified in this section all refrigerators, cabinets, cases, boxes, and taps from which  
 34 intoxicating liquor is dispensed. A "closed place" is defined to mean a place where all doors are  
 35 locked and where no patrons are in the place or about the premises. Any person violating any  
 36 provision of this section shall be deemed guilty of a class A misdemeanor. Nothing in this section  
 37 shall be construed to prohibit the sale or delivery of any intoxicating liquor during any of the hours  
 38 or on any of the days specified in this section by a wholesaler licensed under the provisions of  
 39 section 311.180 to a person licensed to sell the intoxicating liquor at retail."; and

40  
 41 Further amend said bill, Page 14, Section 311.297, Lines 10-11, by deleting all of said lines and  
 42 inserting in lieu thereof the following:

43 "or 311.487,] or on any tax exempt organization's licensed premises as described in section  
 44 311.090."; and

45  
 46 Further amend said bill, Page 17, Section 311.482, Line 22, by inserting the following after all of  
 47 said line:

48 "311.665. Before any license is [issued or] renewed under the provisions of this chapter, the

1 supervisor of liquor control shall require a statement from the director of revenue that the applicant  
2 has paid all sales and use taxes due, including all penalties and interest or does not owe any sales or  
3 use tax."; and

4  
5 Further amend said bill, Pages 19-20, Section 311.090, Lines 1-40, by deleting all of said lines from  
6 the bill; and

7  
8 Further amend said bill, Page 28, Section 311.290, Lines 1-22, by deleting all of said lines from the  
9 bill; and

10  
11 Further amend said bill, Page 29, Section 311.293, Line 19, by inserting after all of said line the  
12 following:

13           "[311.294. 1. Notwithstanding any other provisions of this chapter to the contrary,  
14           any person possessing the qualifications and meeting the requirements of this chapter, who is  
15           licensed to sell intoxicating liquor in the original package at retail under sections 311.200  
16           and 311.293, may apply to the supervisor of liquor control for a special permit to conduct  
17           wine, malt beverage and distilled spirit tastings on the licensed premises. A licensee under  
18           this section shall pay to the director of revenue an additional twenty-five dollars a year  
19           payable at the same time and manner as other license fees.

20           2. Nothing in this section shall be construed to permit the licensee to sell wine, malt  
21           beverages or distilled spirits for on-premises consumption.]" ; and

22  
23 Further amend said bill by amending the title, enacting clause, and intersectional references  
24 accordingly.