

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1786, Page 1, Section 311.057, Line 6, by inserting immediately after said line the
2 following:

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

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

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

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

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

24 311.178. 1. Any person possessing the qualifications and meeting the requirements of this chapter
25 who is licensed to sell intoxicating liquor by the drink at retail for consumption on the premises in a county
26 of the first classification having a charter form of government and not containing all or part of a city with a
27 population of over three hundred thousand may apply to the supervisor of alcohol and tobacco control for a
28 special permit to remain open on each day of the week until 3:00 a.m. of the morning of the following day.
29 The time of opening on Sunday may be 9:00 a.m. The provisions of this section and not those of section
30 311.097 regarding the time of closing shall apply to the sale of intoxicating liquor by the drink at retail for
31 consumption on the premises on Sunday. The premises of such an applicant shall be located in an area which
32 has been designated as a convention trade area by the governing body of the county and the applicant shall
33 meet at least one of the following conditions:

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

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

39 (3) The business is a charitable, fraternal, religious, service, or veterans' organization which has

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1 obtained an exemption from the payment of federal income taxes as provided in section 501(c)(3), 501(c)(4),
2 501(c)(5), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the United States Internal Revenue Code
3 of 1986, as amended.

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

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

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

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

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

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

34 5. The provisions of this section allowing for extended hours of business shall not apply in any
35 incorporated area wholly located in any county of the first classification having a charter form of government
36 which does not contain all or part of a city with a population of over three hundred thousand inhabitants until
37 the governing body of such incorporated area shall have by ordinance or order adopted the extended hours
38 authorized by this section."; and

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