

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

Offered By

1 AMEND House Bill No. 2104, Page 1, In the Title, Line 3, by deleting the words "controlled liquor  
2 self-dispensing systems" and inserting in lieu thereof the words "liquor control"; and

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4 Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line  
5 the following:

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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  
12 of the following day. The time of opening on Sunday may be 9:00 a.m. The provisions of this  
13 section and not those of section 311.097 regarding the time of closing shall apply to the sale of  
14 intoxicating liquor by the drink at retail for consumption on the premises on Sunday. To qualify for  
15 such a permit, the premises of such an applicant must be located in an area which has been  
16 designated as a convention trade area by the governing body of the city and the applicant must meet  
17 at least one of 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  
26 United 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  
28 other fees required by this chapter, pay an additional fee of three hundred dollars a year payable at  
29 the time 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

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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  
13 United 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  
22 one hundred inhabitants may apply to the supervisor of alcohol and tobacco control for a special  
23 permit to remain open on each day of the week until 3:00 a.m. of the morning of the following day.  
24 The time of opening on Sunday may be 9:00 a.m. The provisions of this section and not those of  
25 section 311.097 regarding the time of closing shall apply to the sale of intoxicating liquor by the  
26 drink at retail for consumption on the premises on Sunday. The applicant shall meet all of the  
27 following 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  
33 on 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  
45 other fees required by this chapter, pay an additional fee of three hundred dollars a year payable at  
46 the time 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

1 of 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.

4 311.200. 1. No license shall be issued for the sale of intoxicating liquor in the original  
 5 package, not to be consumed upon the premises where sold, except to a person engaged in, and to be  
 6 used in connection with, the operation of one or more of the following businesses: a drug store, a  
 7 cigar and tobacco store, a grocery store, a general merchandise store, a confectionery or delicatessen  
 8 store, nor to any such person who does not have and keep in his store a stock of goods having a  
 9 value according to invoices of at least one thousand dollars, exclusive of fixtures and intoxicating  
 10 liquors. Under such license, no intoxicating liquor shall be consumed on the premises where sold  
 11 nor shall any original package be opened on the premises of the vendor except as otherwise  
 12 provided in this law. For every license for sale at retail in the original package, the licensee shall  
 13 pay to the director of revenue the sum of one hundred dollars per year.

14 2. For a permit authorizing the sale of malt liquor not in excess of five percent by weight by  
 15 grocers and other merchants and dealers in the original package direct to consumers but not for  
 16 resale, a fee of fifty dollars per year payable to the director of the department of revenue shall be  
 17 required. The phrase "original package" shall be construed and held to refer to any package  
 18 containing one or more standard bottles, cans, or pouches of beer. Notwithstanding the provisions  
 19 of section 311.290, any person licensed pursuant to this subsection may also sell malt liquor at retail  
 20 between the hours of 9:00 a.m. and [midnight] 10:00 p.m. on Sunday.

21 3. For every license issued for the sale of malt liquor at retail by drink for consumption on  
 22 the premises where sold, the licensee shall pay to the director of revenue the sum of fifty dollars per  
 23 year. Notwithstanding the provisions of section 311.290, any person licensed pursuant to this  
 24 subsection may also sell malt liquor at retail between the hours of 9:00 a.m. and midnight on  
 25 Sunday.

26 4. For every license issued for the sale of malt liquor and light wines containing not in  
 27 excess of fourteen percent of alcohol by weight made exclusively from grapes, berries and other  
 28 fruits and vegetables, at retail by the drink for consumption on the premises where sold, the licensee  
 29 shall pay to the director of revenue the sum of fifty dollars per year.

30 5. For every license issued for the sale of all kinds of intoxicating liquor, at retail by the  
 31 drink for consumption on premises of the licensee, the licensee shall pay to the director of revenue  
 32 the sum of three hundred dollars per year, which shall include the sale of intoxicating liquor in the  
 33 original package.

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

39 7. All applications for licenses shall be made upon such forms and in such manner as the  
 40 supervisor of alcohol and tobacco control shall prescribe. No license shall be issued until the sum  
 41 prescribed by this section for such license shall be paid to the director of revenue."; and  
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43 Further amend said bill and page, Section 311.205, Line 11, by inserting after all of said section and  
 44 line the following:

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 47 "311.290. 1. No person having a license issued pursuant to this chapter, nor any employee  
 48 of such person, shall sell, give away, or permit the consumption of any intoxicating liquor in any

1 quantity between the hours of 1:30 a.m. and 6:00 a.m. on weekdays and between the hours of 1:30  
2 a.m. Sunday and 6:00 a.m. Monday, upon or about his or her premises. If the person has a license  
3 to sell intoxicating liquor by the drink, his premises shall be and remain a closed place as defined in  
4 this section between the hours of 1:30 a.m. and 6:00 a.m. on weekdays and between the hours of  
5 1:30 a.m. Sunday and 6:00 a.m. Monday. Where such licenses authorizing the sale of intoxicating  
6 liquor by the drink are held by clubs, hotels, or bowling alleys, this section shall apply only to the  
7 room or rooms in which intoxicating liquor is dispensed; and where such licenses are held by  
8 restaurants or bowling alleys whose business is conducted in one room only, then the licensee shall  
9 keep securely locked during the hours and on the days specified in this section all refrigerators,  
10 cabinets, cases, boxes, and taps from which intoxicating liquor is dispensed. A "closed place" is  
11 defined to mean a place where all doors are locked and where no patrons are in the place or about  
12 the premises. Any person violating any provision of this section shall be deemed guilty of a class A  
13 misdemeanor. Nothing in this section shall be construed to prohibit the sale or delivery of any  
14 intoxicating liquor during any of the hours or on any of the days specified in this section by a  
15 wholesaler licensed under the provisions of section 311.180 to a person licensed to sell the  
16 intoxicating liquor at retail. This subsection shall not apply to any retail business, as defined in  
17 subsection 2 of this section, that sells intoxicating liquor in the original package to be consumed off  
18 the premises where sold.

19 2. No retail business having a license issued under this chapter shall sell intoxicating liquor  
20 in the original package to be consumed off the premises where sold between the hours of 10:00 p.m.  
21 and 6:00 a.m. on weekdays and between the hours of 10:00 p.m. Saturday and 6:00 a.m. Monday.  
22 As used in this section, "retail business" means any drug store, cigar and tobacco store, grocery  
23 store, general merchandise store, or confectionary or delicatessen store.

24 311.293. 1. Except for any establishment that may apply for a license under section  
25 311.089, any person possessing the qualifications and meeting the requirements of this chapter, who  
26 is licensed to sell intoxicating liquor at retail, may apply to the supervisor of alcohol and tobacco  
27 control for a special license to sell intoxicating liquor at retail between the hours of 9:00 a.m. and  
28 midnight on Sundays. A licensee under this section shall pay to the director of revenue an  
29 additional fee of two hundred dollars a year payable at the same time and in the same manner as its  
30 other license fees. This subsection shall not apply to any retail business, as defined in subsection 2  
31 of section 311.290, that sells intoxicating liquor in the original package to be consumed off the  
32 premises where sold.

33 2. In addition to any fee collected pursuant to section 311.220, a city or county may charge  
34 and collect an additional fee not to exceed three hundred dollars from any licensee under this section  
35 for the privilege of selling intoxicating liquor at retail between the hours of 9:00 a.m. and midnight  
36 on Sundays in such city or county; however the additional fee shall not exceed the fee charged by  
37 that city or county for a special license issued pursuant to any provision of this chapter which allows  
38 a licensee to sell intoxicating liquor by the drink for consumption on the premises of the licensee on  
39 Sundays. This subsection shall not apply to any retail business, as defined in subsection 2 of section  
40 311.290, that sells intoxicating liquor in the original package to be consumed off the premises where  
41 sold.

42 3. Notwithstanding any provisions of law, a retail business, as defined in subsection 2 of  
43 section 311.290, possessing the qualifications and meeting the requirements of this chapter, that is  
44 licensed to sell intoxicating liquor in the original package at retail for consumption off the premises  
45 where sold, may apply to the supervisor of alcohol and tobacco control for a special license to sell  
46 such intoxicating liquor at retail between the hours of 9:00 a.m. and 10:00 p.m. on Sundays. A  
47 licensee under this section shall pay to the director of revenue an additional fee of two hundred  
48 dollars a year payable at the same time and in the same manner as its other license fees. In addition

1 to any fee collected under section 311.220, a city or county may charge and collect an additional fee  
2 not to exceed three hundred dollars from any licensee under this subsection for the privilege of  
3 selling intoxicating liquor at retail between the hours of 9:00 a.m. and 10:00 p.m. on Sundays in  
4 such city or county.

5 4. The provisions of this section regarding the time of closing shall not apply to any person  
6 who possesses a special permit issued under section 311.174, 311.176, or 311.178."; and

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