

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

3
4 Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line
5 the following:

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

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

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

22 (3) The business is a charitable, fraternal, religious, service, or veterans' organization which
23 has obtained an exemption from the payment of federal income taxes as provided in section
24 501(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
25 United States Internal Revenue Code of 1986, as amended.

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

29 311.178. 1. Any person possessing the qualifications and meeting the requirements of this
30 chapter who is licensed to sell intoxicating liquor by the drink at retail for consumption on the
31 premises in a county of the first classification having a charter form of government and not
32 containing all or part of a city with a population of over three hundred thousand may apply to the
33 supervisor of alcohol and tobacco control for a special permit to remain open on each day of the
34 week until 3:00 a.m. of the morning of the following day. The time of opening on Sunday may be
35 9:00 a.m. The provisions of this section and not those of section 311.097 regarding the time of
36 closing shall apply to the sale of intoxicating liquor by the drink at retail for consumption on the

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 premises on Sunday. The premises of such an applicant shall be located in an area which has been
2 designated as a convention trade area by the governing body of the county and the applicant shall
3 meet at least one of the following conditions:

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

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

9 (3) The business is a charitable, fraternal, religious, service, or veterans' organization which
10 has obtained an exemption from the payment of federal income taxes as provided in section
11 501(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
12 United States Internal Revenue Code of 1986, as amended.

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

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

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

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

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

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

46 5. The provisions of this section allowing for extended hours of business shall not apply in
47 any incorporated area wholly located in any county of the first classification having a charter form
48 of government which does not contain all or part of a city with a population of over three hundred

1 thousand inhabitants until the governing body of such incorporated area shall have by ordinance or
2 order adopted the extended hours authorized by this section."; and

3

4

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