

House _____ Amendment NO. _____

Offered By

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

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

6
7 "311.060. 1. No person shall be granted a license hereunder unless such person is of good
8 moral character and a qualified legal voter and a taxpaying citizen of the county, town, city or
9 village, nor shall any corporation be granted a license hereunder unless the managing officer of such
10 corporation is of good moral character and a qualified legal voter and taxpaying citizen of the
11 county, town, city or village; and, except as otherwise provided under subsection 6 of this section,
12 no person shall be granted a license or permit hereunder whose license as such dealer has been
13 revoked, or who has been convicted, since the ratification of the twenty-first amendment to the
14 Constitution of the United States, of a violation of the provisions of any law applicable to the
15 manufacture or sale of intoxicating liquor, or who employs in his or her business as such dealer any
16 person whose license has been revoked unless such person has received a new license or permit
17 under subsection 6 of this section, or who has been convicted of violating such law since the date
18 aforesaid; provided, that nothing in this section contained shall prevent the issuance of licenses to
19 nonresidents of Missouri or foreign corporations for the privilege of selling to duly licensed
20 wholesalers and soliciting orders for the sale of intoxicating liquors to, by or through a duly licensed
21 wholesaler, within this state.

22 2. (1) No person, partnership or corporation shall be qualified for a license under this law if
23 such person, any member of such partnership, or such corporation, or any officer, director, or any
24 stockholder owning, legally or beneficially, directly or indirectly, ten percent or more of the stock of
25 such corporation, or other financial interest therein, or ten percent or more of the interest in the
26 business for which the person, partnership or corporation is licensed, or any person employed in the
27 business licensed under this law shall have had a license revoked under this law unless such person
28 has received a new license or permit under subsection 6 of this section, or shall have been convicted
29 of violating the provisions of any law applicable to the manufacture or sale of intoxicating liquor
30 since the ratification of the twenty-first amendment to the Constitution of the United States, or shall
31 not be a person of good moral character.

32 (2) No license issued under this chapter shall be denied, suspended, revoked or otherwise
33 affected based solely on the fact that an employee of the licensee has been convicted of a felony
34 unrelated to the manufacture or sale of intoxicating liquor. Each employer shall report the identity
35 of any employee convicted of a felony to the division of liquor control. The division of liquor
36 control shall promulgate rules to enforce the provisions of this subdivision.

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 (3) No wholesaler license shall be issued to a corporation for the sale of intoxicating liquor
2 containing alcohol in excess of five percent by weight, except to a resident corporation as defined in
3 this section.

4 3. A "resident corporation" is defined to be a corporation incorporated under the laws of this
5 state, all the officers and directors of which, and all the stockholders, who legally and beneficially
6 own or control sixty percent or more of the stock in amount and in voting rights, shall be qualified
7 legal voters and taxpaying citizens of the county and municipality in which they reside and who
8 shall have been bona fide residents of the state for a period of three years continuously immediately
9 prior to the date of filing of application for a license, provided that a stockholder need not be a voter
10 or a taxpayer, and all the resident stockholders of which shall own, legally and beneficially, at least
11 sixty percent of all the financial interest in the business to be licensed under this law; provided, that
12 no corporation, licensed under the provisions of this law on January 1, 1947, nor any corporation
13 succeeding to the business of a corporation licensed on January 1, 1947, as a result of a tax-free
14 reorganization coming within the provisions of Section 112, United States Internal Revenue Code,
15 shall be disqualified by reason of the new requirements herein, except corporations engaged in the
16 manufacture of alcoholic beverages containing alcohol in excess of five percent by weight, or
17 owned or controlled, directly or indirectly, by nonresident persons, partnerships or corporations
18 engaged in the manufacture of alcoholic beverages containing alcohol in excess of five percent by
19 weight.

20 4. The term "financial interest" as used in this chapter is defined to mean all interest, legal
21 or beneficial, direct or indirect, in the capital devoted to the licensed enterprise and all such interest
22 in the net profits of the enterprise, after the payment of reasonable and necessary operating business
23 expenses and taxes, including interest in dividends, preferred dividends, interest and profits, directly
24 or indirectly paid as compensation for, or in consideration of interest in, or for use of, the capital
25 devoted to the enterprise, or for property or money advanced, loaned or otherwise made available to
26 the enterprise, except by way of ordinary commercial credit or bona fide bank credit not in excess of
27 credit customarily granted by banking institutions, whether paid as dividends, interest or profits, or
28 in the guise of royalties, commissions, salaries, or any other form whatsoever.

29 5. The supervisor shall by regulation require all applicants for licenses to file written
30 statements, under oath, containing the information reasonably required to administer this section.
31 Statements by applicants for licenses as wholesalers and retailers shall set out, with other
32 information required, full information concerning the residence of all persons financially interested
33 in the business to be licensed as required by regulation. All material changes in the information
34 filed shall be promptly reported to the supervisor.

35 6. Any person whose license or permit issued under this chapter has been revoked shall be
36 automatically eligible to work as an employee of an establishment holding a license or permit under
37 this chapter five years after the date of the revocation.

38 7. Any person whose license or permit issued under this chapter has been revoked shall be
39 eligible to apply and be qualified for a new license or permit five years after the date of the
40 revocation. The person may be issued a new license or permit at the discretion of the division of
41 alcohol and tobacco control. If the division denies the request for a new permit or license, the
42 person may not submit a new application for five years from the date of the denial. If the
43 application is approved, the person shall pay all fees required by law for the license or permit. Any
44 person whose request for a new license or permit is denied may seek a determination by the
45 administrative hearing commission as provided under section 311.691."; and

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