

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

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 994, Page 2, Section 262.823, Line 19,  
2 by inserting after all of said section and line the following:

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

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

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

19 (3) The business is a charitable, fraternal, religious, service, or veterans' organization which  
20 has obtained an exemption from the payment of federal income taxes as provided in section  
21 501(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  
22 United States Internal Revenue Code of 1986, as amended.

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

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

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

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

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

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

6 (3) The business is a charitable, fraternal, religious, service, or veterans' organization which  
7 has obtained an exemption from the payment of federal income taxes as provided in section  
8 501(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  
9 United States Internal Revenue Code of 1986, as amended.

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

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

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

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

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

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

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

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