

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1664
98TH GENERAL ASSEMBLY

4054H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 311.055, 311.070, 311.085, 311.086, 311.088, 311.089, 311.090, 311.091, 311.092, 311.095, 311.096, 311.101, 311.174, 311.176, 311.178, 311.179, 311.190, 311.195, 311.200, 311.210, 311.218, 311.290, 311.293, 311.294, 311.297, 311.298, 311.480, 311.482, 311.483, 311.485, 311.486, 311.487, and 311.665, RSMo, and to enact in lieu thereof thirteen new sections relating to licenses to sell intoxicating liquor, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 311.055, 311.070, 311.085, 311.086, 311.088, 311.089, 311.090, 2 311.091, 311.092, 311.095, 311.096, 311.101, 311.174, 311.176, 311.178, 311.179, 311.190, 3 311.195, 311.200, 311.210, 311.218, 311.290, 311.293, 311.294, 311.297, 311.298, 311.480, 4 311.482, 311.483, 311.485, 311.486, 311.487, and 311.665, RSMo, are repealed and thirteen 5 new sections enacted in lieu thereof, to be known as sections 311.052, 311.055, 311.070, 6 311.090, 311.101, 311.190, 311.195, 311.200, 311.290, 311.297, 311.480, 311.482, and 311.665, 7 to read as follows:

311.052. 1. Any person who possesses the qualifications required by this chapter, 2 and who meets the requirements of and complies with the provisions of this chapter may 3 apply for, and the supervisor of alcohol and tobacco control may issue, the following types 4 of license to sell intoxicating liquor as defined in this chapter:

5 **(1) Intoxicating liquor in the original package not for consumption on the premises**
6 **where sold;**

7 **(2) Intoxicating liquor by the drink at retail for consumption on the premises where**
8 **sold;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

9 **(3) Beer and wine in the original package not for consumption on the premises**
10 **where sold; or**

11 **(4) Beer and wine by the drink at retail for consumption on the premises where sold.**

12 **2. All licenses authorized and issued under this section shall be valid for every day**
13 **of the week and for all hours of each day that the premises is authorized by law to remain**
14 **open.**

15 **3. A criminal background check shall be conducted on all applicants for a license**
16 **to sell intoxicating liquor or beer and wine before the issuance of the license.**

311.055. 1. No person at least twenty-one years of age shall be required to obtain a
2 license to manufacture intoxicating liquor, as defined in section 311.020, for personal or family
3 use. The aggregate amount of intoxicating liquor manufactured per household shall not exceed
4 two hundred gallons per calendar year if there are two or more persons over the age of
5 twenty-one years in such household, or one hundred gallons per calendar year if there is only one
6 person over the age of twenty-one years in such household. Any intoxicating liquor
7 manufactured under this section shall not be sold or offered for sale.

8 2. Beer brewed under this section may be removed from the premises where brewed for
9 personal or family use, including use at organized events, exhibitions, or competitions, such as
10 home brewer contests, tastings, or judging. The use may occur off licensed retail premises[,] **or**
11 on any premises under a [temporary] retail license issued under section [311.218,] 311.482[,
12 311.485, 311.486, or 311.487,] or on any tax exempt organization's licensed premises as
13 described in section 311.090.

14 3. Any beer brewed under this section used at an organized event where an admission
15 fee is paid for entry, at which the beer is available without a separate charge, shall not be deemed
16 a sale of beer, provided that the person who brewed the beer receives none of the proceeds from
17 the admission fee and all consumption is conducted off licensed retail premises, under the
18 premises of a [temporary] retail license issued under section [311.218,] 311.482[, 311.485,
19 311.486, or 311.487,] or on any tax exempt organization's licensed premises as described in
20 section 311.090.

311.070. 1. Distillers, wholesalers, winemakers, brewers or their employees, officers
2 or agents shall not, except as provided in this section, directly or indirectly, have any financial
3 interest in the retail business for sale of intoxicating liquors, and shall not, except as provided
4 in this section, directly or indirectly, loan, give away or furnish equipment, money, credit or
5 property of any kind, except ordinary commercial credit for liquors sold to such retail dealers.
6 However, notwithstanding any other provision of this chapter to the contrary, for the purpose of
7 the promotion of tourism, a distiller whose manufacturing establishment is located within this
8 state may apply for and the supervisor of liquor control may issue a license to sell intoxicating

9 liquor, as in this chapter defined, by the drink at retail for consumption on the premises where
10 sold; and provided further that the premises so licensed shall be in close proximity to the
11 distillery [and may remain open between the hours of 6:00 a.m. and midnight, Monday through
12 Saturday and between the hours of 11:00 a.m. and 9:00 p.m., Sunday]. The authority for the
13 collection of fees by cities and counties as provided in section 311.220, and all other laws and
14 regulations relating to the sale of liquor by the drink for consumption on the premises where
15 sold, shall apply to the holder of a license issued under the provisions of this section in the same
16 manner as they apply to establishments licensed under the provisions of section [311.085,]
17 311.090], or 311.095].

18 2. Any distiller, wholesaler, winemaker or brewer who shall violate the provisions of
19 subsection 1 of this section, or permit his **or her** employees, officers or agents to do so, shall be
20 guilty of a misdemeanor, and upon conviction thereof shall be punished as follows:

21 (1) For the first offense, by a fine of one thousand dollars;

22 (2) For a second offense, by a fine of five thousand dollars; and

23 (3) For a third or subsequent offense, by a fine of ten thousand dollars or the license of
24 such person shall be revoked.

25 3. As used in this section, the following terms mean:

26 (1) "Consumer advertising specialties", advertising items that are designed to be carried
27 away by the consumer, such items include, but are not limited to: trading stamps, nonalcoholic
28 mixers, pouring racks, ash trays, bottle or can openers, cork screws, shopping bags, matches,
29 printed recipes, pamphlets, cards, leaflets, blotters, postcards, pencils, shirts, caps and visors;

30 (2) "Equipment and supplies", glassware (or similar containers made of other material),
31 dispensing accessories, carbon dioxide (and other gasses used in dispensing equipment) or ice.
32 "Dispensing accessories" include standards, faucets, cold plates, rods, vents, taps, tap standards,
33 hoses, washers, couplings, gas gauges, vent tongues, shanks, and check valves;

34 (3) "Permanent point-of-sale advertising materials", advertising items designed to be
35 used within a retail business establishment for an extended period of time to attract consumer
36 attention to the products of a distiller, wholesaler, winemaker or brewer. Such materials shall
37 only include inside signs (electric, mechanical or otherwise), mirrors, and sweepstakes/contest
38 prizes displayed on the licensed premises;

39 (4) "Product display", wine racks, bins, barrels, casks, shelving or similar items the
40 primary function of which is to hold and display consumer products;

41 (5) "Promotion", an advertising and publicity campaign to further the acceptance and sale
42 of the merchandise or products of a distiller, wholesaler, winemaker or brewer;

43 (6) "Temporary point-of-sale advertising materials", advertising items designed to be
44 used for short periods of time. Such materials include, but are not limited to: banners,

45 decorations reflecting a particular season or a limited-time promotion, or paper napkins, coasters,
46 cups, or menus.

47 4. Notwithstanding other provisions contained herein, the distiller, wholesaler,
48 winemaker or brewer, or their employees, officers or agents may engage in the following
49 activities with a retail licensee licensed pursuant to this chapter:

50 (1) The distiller, wholesaler, winemaker or brewer may give or sell product displays to
51 a retail business if all of the following requirements are met:

52 (a) The total value of all product displays given or sold to a retail business shall not
53 exceed three hundred dollars per brand at any one time in any one retail outlet. There shall be
54 no combining or pooling of the three hundred dollar limits to provide a retail business a product
55 display in excess of three hundred dollars per brand. The value of a product display is the actual
56 cost to the distiller, wholesaler, winemaker or brewer who initially purchased such product
57 display. Transportation and installation costs shall be excluded;

58 (b) All product displays shall bear in a conspicuous manner substantial advertising
59 matter on the product or the name of the distiller, wholesaler, winemaker or brewer. The name
60 and address of the retail business may appear on the product displays; and

61 (c) The giving or selling of product displays may be conditioned on the purchase of
62 intoxicating beverages advertised on the displays by the retail business in a quantity necessary
63 for the initial completion of the product display. No other condition shall be imposed by the
64 distiller, wholesaler, winemaker or brewer on the retail business in order for such retail business
65 to obtain the product display;

66 (2) Notwithstanding any provision of law to the contrary, the distiller, wholesaler,
67 winemaker or brewer may provide, give or sell any permanent point-of-sale advertising
68 materials, temporary point-of-sale advertising materials, and consumer advertising specialties
69 to a retail business if all the following requirements are met:

70 (a) The total value of all permanent point-of-sale advertising materials provided to a
71 retail business by a distiller, wholesaler, winemaker, or brewer shall not exceed five hundred
72 dollars per calendar year, per brand, per retail outlet. The value of permanent point-of-sale
73 advertising materials is the actual cost to the distiller, wholesaler, winemaker or brewer who
74 initially purchased such item. Transportation and installation costs shall be excluded. All
75 permanent point-of-sale advertising materials provided to a retailer shall be recorded, and records
76 shall be maintained for a period of three years;

77 (b) The provider of permanent point-of-sale advertising materials shall own and
78 otherwise control the use of permanent point-of-sale advertising materials that are provided by
79 any distiller, wholesaler, winemaker, or brewer;

80 (c) All permanent point-of-sale advertising materials, temporary point-of-sale advertising
81 materials, and consumer advertising specialties shall bear in a conspicuous manner substantial
82 advertising matter about the product or the name of the distiller, wholesaler, winemaker or
83 brewer. The name, address and logos of the retail business may appear on the permanent
84 point-of-sale advertising materials, temporary point-of-sale advertising materials, or the
85 consumer advertising specialties; and

86 (d) The distiller, wholesaler, winemaker or brewer shall not directly or indirectly pay or
87 credit the retail business for using or distributing the permanent point-of-sale advertising
88 materials, temporary point-of-sale advertising materials, or consumer advertising specialties or
89 for any incidental expenses arising from their use or distribution;

90 (3) A distiller, wholesaler, winemaker, or brewer may give a gift not to exceed a value
91 of one thousand dollars per year to a holder of a temporary permit as defined in section 311.482;

92 (4) The distiller, wholesaler, winemaker or brewer may sell equipment or supplies to a
93 retail business if all the following requirements are met:

94 (a) The equipment and supplies shall be sold at a price not less than the cost to the
95 distiller, wholesaler, winemaker or brewer who initially purchased such equipment and supplies;
96 and

97 (b) The price charged for the equipment and supplies shall be collected in accordance
98 with credit regulations as established in the code of state regulations;

99 (5) The distiller, wholesaler, winemaker or brewer may install dispensing accessories at
100 the retail business establishment, which shall include for the purposes of beer equipment to
101 properly preserve and serve draught beer only and to facilitate the delivery to the retailer the
102 brewers and wholesalers may lend, give, rent or sell and they may install or repair any of the
103 following items or render to retail licensees any of the following services: beer coils and coil
104 cleaning, sleeves and wrappings, box couplings and draft arms, beer faucets and tap markers,
105 beer and air hose, taps, vents and washers, gauges and regulators, beer and air distributors, beer
106 line insulation, coil flush hose, couplings and bucket pumps; portable coil boxes, air pumps,
107 blankets or other coverings for temporary wrappings of barrels, coil box overflow pipes, tilting
108 platforms, bumper boards, skids, cellar ladders and ramps, angle irons, ice box grates, floor
109 runways; and damage caused by any beer delivery excluding normal wear and tear and a
110 complete record of equipment furnished and installed and repairs and service made or rendered
111 must be kept by the brewer or wholesalers furnishing, making or rendering same for a period of
112 not less than one year;

113 (6) The distiller, wholesaler, winemaker or brewer may furnish, give or sell coil cleaning
114 service to a retailer of distilled spirits, wine or malt beverages;

115 (7) A wholesaler of intoxicating liquor may furnish or give and a retailer may accept a
116 sample of distilled spirits or wine as long as the retailer has not previously purchased the brand
117 from that wholesaler, if all the following requirements are met:

118 (a) The wholesaler may furnish or give not more than seven hundred fifty milliliters of
119 any brand of distilled spirits and not more than seven hundred fifty milliliters of any brand of
120 wine; if a particular product is not available in a size within the quantity limitations of this
121 subsection, a wholesaler may furnish or give to a retailer the next larger size;

122 (b) The wholesaler shall keep a record of the name of the retailer and the quantity of each
123 brand furnished or given to such retailer;

124 (c) For the purposes of this subsection, no samples of intoxicating liquor provided to
125 retailers shall be consumed on the premises nor shall any sample of intoxicating liquor be opened
126 on the premises of the retailer except as provided by the retail license;

127 (d) For the purpose of this subsection, the word "brand" refers to differences in brand
128 name of product or differences in nature of product; examples of different brands would be
129 products having a difference in: brand name; class, type or kind designation; appellation of origin
130 (wine); viticulture area (wine); vintage date (wine); age (distilled spirits); or proof (distilled
131 spirits); differences in packaging such a different style, type, size of container, or differences in
132 color or design of a label are not considered different brands;

133 (8) The distiller, wholesaler, winemaker or brewer may package and distribute
134 intoxicating beverages in combination with other nonalcoholic items as originally packaged by
135 the supplier for sale ultimately to consumers; notwithstanding any provision of law to the
136 contrary, for the purpose of this subsection, intoxicating liquor and wine wholesalers are not
137 required to charge for nonalcoholic items any more than the actual cost of purchasing such
138 nonalcoholic items from the supplier;

139 (9) The distiller, wholesaler, winemaker or brewer may sell or give the retail business
140 newspaper cuts, mats or engraved blocks for use in the advertisements of the retail business;

141 (10) The distiller, wholesaler, winemaker or brewer may in an advertisement list the
142 names and addresses of two or more unaffiliated retail businesses selling its product if all of the
143 following requirements are met:

144 (a) The advertisement shall not contain the retail price of the product;

145 (b) The listing of the retail businesses shall be the only reference to such retail businesses
146 in the advertisement;

147 (c) The listing of the retail businesses shall be relatively inconspicuous in relation to the
148 advertisement as a whole; and

149 (d) The advertisement shall not refer only to one retail business or only to a retail
150 business controlled directly or indirectly by the same retail business;

151 (11) Distillers, winemakers, wholesalers, brewers or retailers may conduct a local or
152 national sweepstakes/contest upon a licensed retail premise. The sweepstakes/contest prize
153 dollar amount shall not be limited and can be displayed in a photo, banner, or other temporary
154 point-of-sale advertising materials on a licensed premises, if the following requirements are met:

155 (a) No money or something of value is given to the retailer for the privilege or
156 opportunity of conducting the sweepstakes or contest; and

157 (b) The actual sweepstakes/contest prize is not displayed on the licensed premises if the
158 prize value exceeds the permanent point-of-sale advertising materials dollar limit provided in this
159 section;

160 (12) The distiller, wholesaler, winemaker or brewer may stock, rotate, rearrange or reset
161 the products sold by such distiller, wholesaler, winemaker or brewer at the establishment of the
162 retail business so long as the products of any other distiller, wholesaler, winemaker or brewer
163 are not altered or disturbed;

164 (13) The distiller, wholesaler, winemaker or brewer may provide a recommended shelf
165 plan or shelf schematic for distilled spirits, wine or malt beverages;

166 (14) The distiller, wholesaler, winemaker or brewer participating in the activities of a
167 retail business association may do any of the following:

168 (a) Display, serve, or donate its products at or to a convention or trade show;

169 (b) Rent display booth space if the rental fee is the same paid by all others renting similar
170 space at the association activity;

171 (c) Provide its own hospitality which is independent from the association activity;

172 (d) Purchase tickets to functions and pay registration or sponsorship fees if such purchase
173 or payment is the same as that paid by all attendees, participants or exhibitors at the association
174 activity;

175 (e) Make payments for advertisements in programs or brochures issued by retail business
176 associations if the total payments made for all such advertisements are fair and reasonable;

177 (f) Pay dues to the retail business association if such dues or payments are fair and
178 reasonable;

179 (g) Make payments or donations for retail employee training on preventive sales to
180 minors and intoxicated persons, checking identifications, age verification devices, and the liquor
181 control laws;

182 (h) Make contributions not to exceed one thousand dollars per calendar year for
183 transportation services that shall be used to assist patrons from retail establishments to his or her
184 residence or overnight accommodations;

185 (i) Donate or serve up to five hundred dollars per event of alcoholic products at retail
186 business association activities; and

187 (j) Any retail business association that receives payments or donations shall, upon
188 written request, provide the division of alcohol and tobacco control with copies of relevant
189 financial records and documents to ensure compliance with this subsection;

190 (15) The distiller, wholesaler, winemaker or brewer may sell or give a permanent outside
191 sign to a retail business if the following requirements are met:

192 (a) The sign, which shall be constructed of metal, glass, wood, plastic, or other durable,
193 rigid material, with or without illumination, or painted or otherwise printed onto a rigid material
194 or structure, shall bear in a conspicuous manner substantial advertising matter about the product
195 or the name of the distiller, wholesaler, winemaker or brewer;

196 (b) The retail business shall not be compensated, directly or indirectly, for displaying the
197 permanent sign or a temporary banner;

198 (c) The cost of the permanent sign shall not exceed five hundred dollars; and

199 (d) Temporary banners of a seasonal nature or promoting a specific event shall not be
200 constructed to be permanent outdoor signs and may be provided to retailers. The total cost of
201 temporary outdoor banners provided to a retailer in use at any one time shall not exceed five
202 hundred dollars per brand;

203 (16) A wholesaler may, but shall not be required to, exchange for an equal quantity of
204 identical product or allow credit against outstanding indebtedness for intoxicating liquor with
205 alcohol content of less than five percent by weight that was delivered in a damaged condition or
206 damaged while in the possession of the retailer;

207 (17) To assure and control product quality, wholesalers at the time of a regular delivery
208 may, but shall not be required to, withdraw, with the permission of the retailer, a quantity of
209 intoxicating liquor with alcohol content of less than five percent by weight in its undamaged
210 original carton from the retailer's stock, if the wholesaler replaces the product with an equal
211 quantity of identical product;

212 (18) In addition to withdrawals authorized pursuant to subdivision (17) of this
213 subsection, to assure and control product quality, wholesalers at the time of a regular delivery
214 may, but shall not be required to, withdraw, with the permission of the retailer, a quantity of
215 intoxicating liquor with alcohol content of less than five percent by weight in its undamaged
216 original carton from the retailer's stock and give the retailer credit against outstanding
217 indebtedness for the product if:

218 (a) The product is withdrawn at least thirty days after initial delivery and within
219 twenty-one days of the date considered by the manufacturer of the product to be the date the
220 product becomes inappropriate for sale to a consumer; and

221 (b) The quantity of product withdrawn does not exceed the equivalent of twenty-five
222 cases of twenty-four twelve-ounce containers; and

223 (c) To assure and control product quality, a wholesaler may, but not be required to, give
224 a retailer credit for intoxicating liquor with an alcohol content of less than five percent by weight,
225 in a container with a capacity of four gallons or more, delivered but not used, if the wholesaler
226 removes the product within seven days of the initial delivery; and

227 (19) Nothing in this section authorizes consignment sales.

228 5. (1) A distiller, wholesaler, winemaker, or brewer that is also in business as a bona
229 fide producer or vendor of nonalcoholic beverages shall not condition the sale of its alcoholic
230 beverages on the sale of its nonalcoholic beverages nor combine the sale of its alcoholic
231 beverages with the sale of its nonalcoholic beverages, except as provided in subdivision (8) of
232 subsection 4 of this section. The distiller, wholesaler, winemaker, or brewer that is also in
233 business as a bona fide producer or vendor of nonalcoholic beverages may sell, credit, market,
234 and promote nonalcoholic beverages in the same manner in which the nonalcoholic products are
235 sold, credited, marketed, or promoted by a manufacturer or wholesaler not licensed by the
236 supervisor of alcohol and tobacco control;

237 (2) Any fixtures, equipment, or furnishings provided by any distiller, wholesaler,
238 winemaker, or brewer in furtherance of the sale of nonalcoholic products shall not be used by
239 the retail licensee to store, service, display, advertise, furnish, or sell, or aid in the sale of
240 alcoholic products regulated by the supervisor of alcohol and tobacco control. All such fixtures,
241 equipment, or furnishings shall be identified by the retail licensee as being furnished by a
242 licensed distiller, wholesaler, winemaker, or brewer.

243 6. Distillers, wholesalers, brewers and winemakers, or their officers or directors shall not
244 require, by agreement or otherwise, that any retailer purchase any intoxicating liquor from such
245 distillers, wholesalers, brewers or winemakers to the exclusion in whole or in part of intoxicating
246 liquor sold or offered for sale by other distillers, wholesalers, brewers, or winemakers.

247 7. Notwithstanding any other provisions of this chapter to the contrary, a distiller or
248 wholesaler may install dispensing accessories at the retail business establishment, which shall
249 include for the purposes of distilled spirits equipment to properly preserve and serve premixed
250 distilled spirit beverages only. To facilitate delivery to the retailer, the distiller or wholesaler
251 may lend, give, rent or sell and the distiller or wholesaler may install or repair any of the
252 following items or render to retail licensees any of the following services: coils and coil
253 cleaning, draft arms, faucets and tap markers, taps, tap standards, tapping heads, hoses, valves
254 and other minor tapping equipment components, and damage caused by any delivery excluding
255 normal wear and tear. A complete record of equipment furnished and installed and repairs or
256 service made or rendered shall be kept by the distiller or wholesaler furnishing, making or
257 rendering the same for a period of not less than one year.

258 8. Distillers, wholesalers, winemakers, brewers or their employees or officers shall be
259 permitted to make contributions of money or merchandise to a licensed retail liquor dealer that
260 is a charitable, fraternal, civic, service, veterans', or religious organization as defined in section
261 313.005, or an educational institution if such contributions are unrelated to such organization's
262 retail operations.

263 9. [Distillers, brewers, wholesalers, and winemakers may make payments for
264 advertisements in programs or brochures of tax-exempt organizations licensed under section
265 311.090 if the total payments made for all such advertisements are the same as those paid by
266 other vendors.

267 10.] A brewer or manufacturer, its employees, officers or agents may have a financial
268 interest in the retail business for sale of intoxicating liquors at entertainment facilities owned,
269 in whole or in part, by the brewer or manufacturer, its subsidiaries or affiliates including, but not
270 limited to, arenas and stadiums used primarily for concerts, shows and sporting events of all
271 kinds.

272 [11.] 10. For the purpose of the promotion of tourism, a wine manufacturer, its
273 employees, officers or agents located within this state may apply for and the supervisor of liquor
274 control may issue a license to sell intoxicating liquor, as defined in this chapter, by the drink at
275 retail for consumption on the premises where sold, if the premises so licensed is in close
276 proximity to the winery. [Such premises shall be closed during the hours specified under section
277 311.290 and may remain open between the hours of 9:00 a.m. and midnight on Sunday.]

278 [12.] 11. For the purpose of the promotion of tourism, a person may apply for and the
279 supervisor of liquor control may issue a license to sell intoxicating liquor by the drink at retail
280 for consumption on the premises where sold, but seventy-five percent or more of the intoxicating
281 liquor sold by such licensed person shall be Missouri-produced wines received from
282 manufacturers licensed under section 311.190. [Such premises may remain open between the
283 hours of 6:00 a.m. and midnight, Monday through Saturday, and between the hours of 11:00 a.m.
284 and 9:00 p.m. on Sundays.]

311.090. 1. Any person who possesses the qualifications required by this chapter, and
2 who meets the requirements of and complies with the provisions of this chapter, and the
3 ordinances, rules and regulations of the incorporated city in which such licensee proposes to
4 operate his business, may apply for, and the supervisor of alcohol and tobacco control may issue,
5 a license to sell intoxicating liquor, as defined in this chapter, by the drink at retail for
6 consumption on the premises described in the application; provided, that no license shall be
7 issued for the sale of intoxicating liquor, other than malt liquor **as defined in section 311.490**
8 [containing alcohol not in excess of five percent by weight], and light wines containing not in
9 excess of fourteen percent of alcohol by weight made exclusively from grapes, berries and other

10 fruits and vegetables, by the drink at retail for consumption on the premises where sold to any
11 person other than a charitable, fraternal, religious, service or veterans' organization which has
12 obtained an exemption from the payment of federal income taxes as provided in section
13 501(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
14 United States Internal Revenue Code of 1954, as amended, in any incorporated city having a
15 population of less than nineteen thousand five hundred inhabitants, until the sale of such
16 intoxicating liquor, by the drink at retail for consumption on the premises where sold, shall have
17 been authorized by a vote of the majority of the qualified voters of the city. Such authority shall
18 be determined by an election to be held in those cities having a population of less than nineteen
19 thousand five hundred inhabitants as determined by the last preceding federal decennial census,
20 under the provisions and methods set out in this chapter. Once such licenses are issued in a city
21 with a population of at least nineteen thousand five hundred inhabitants, any subsequent loss of
22 population shall not require the qualified voters of such a city to approve the sale of such
23 intoxicating liquor prior to the issuance or renewal of such licenses. No license shall be issued
24 for the sale of intoxicating liquor, other than malt liquor **as defined in section 311.490**
25 [containing alcohol not in excess of five percent by weight], and light wines containing not in
26 excess of fourteen percent of alcohol by weight made exclusively from grapes, berries and other
27 fruits and vegetables, by the drink at retail for consumption on the premises where sold, outside
28 the limits of such incorporated cities unless the licensee is a charitable, fraternal, religious,
29 service or veterans' organization which has obtained an exemption from the payment of federal
30 income taxes as provided in section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8),
31 501(c)(10), 501(c)(19), or 501(d) of the United States Internal Revenue Code of 1954, as
32 amended.

33 2. If any charitable, fraternal, religious, service, or veterans' organization has a license
34 to sell intoxicating liquor on its premises pursuant to this section and such premises includes two
35 or more buildings in close proximity, such permit shall be valid for the sale of intoxicating liquor
36 at any such building.

311.101. 1. Notwithstanding any other provision of law, it shall not be unlawful for the
2 owner, operator, or employees of a restaurant bar, as defined in section [311.097] **311.196**, to
3 allow patrons to carry out one or more bottles of unfinished wine, nor shall it be unlawful for
4 patrons of such restaurant bar to carry out one or more bottles of unfinished wine under the
5 following conditions:

6 (1) The patron must have ordered a meal;

7 (2) The bottle or bottles of wine must have been at least partially consumed during the
8 meal;

9 (3) The restaurant bar must provide a dated receipt for the unfinished bottle or bottles
10 of wine; and

11 (4) The restaurant bar must securely reseal the bottle or bottles of wine and place them
12 in one or more one-time-use, tamperproof, transparent bags and securely seal the bags.

13 2. Notwithstanding any other provision of law, no person who transports one or more
14 bottles of unfinished wine which came from a restaurant bar under the circumstances described
15 in subsection 1 of this section, in a vehicle, shall be considered to have violated any state law or
16 local ordinance regarding open containers in vehicles so long as such person has in his or her
17 possession the dated receipt from the restaurant bar and the bottle or bottles of wine remain in
18 the restaurant bar-furnished, one-time-use, tamperproof, transparent bags with the seals intact.

19 3. Notwithstanding any other provision of law, it shall be lawful for the owner, operator,
20 or employees of a winery to allow patrons to carry out one or more bottles of unfinished wine
21 and it shall be lawful for patrons of such winery to carry out one or more bottles of unfinished
22 wine under the following conditions:

23 (1) The bottle or bottles of wine must have been at least partially consumed at the
24 winery;

25 (2) The winery must provide a dated receipt for the unfinished bottle or bottles of wine;
26 and

27 (3) The winery must securely reseal the bottle or bottles of wine and place them in one
28 or more one-time-use, tamperproof, transparent bags and securely seal the bags.

29 4. Notwithstanding any other provision of law, no person who transports one or more
30 bottles of unfinished wine which came from a winery under the circumstances described under
31 subsection 3 of this section shall be considered to have violated any state law or local ordinance
32 regarding open containers in vehicles so long as such person has in his or her possession the
33 dated receipt from the winery and the bottle or bottles of wine remain in the winery-furnished,
34 one-time-use, tamperproof, transparent bags with the seals intact.

35 5. As used in this section "winery" means any establishment at which wine is made.

311.190. 1. For the privilege of manufacturing wine or brandy, which manufacturing
2 shall be in accordance with all provisions of federal law applicable thereto except as may
3 otherwise be specified in this section, in quantities not to exceed five hundred thousand gallons,
4 not in excess of eighteen percent of alcohol by weight for wine, or not in excess of thirty-four
5 percent of alcohol by weight for brandy, from grapes, berries, other fruits, fruit products, honey,
6 and vegetables produced or grown in the state of Missouri, exclusive of sugar, water and spirits,
7 there shall be paid to and collected by the director of revenue, in lieu of the charges provided in
8 section 311.180, a license fee of five dollars for each five hundred gallons or fraction thereof of
9 wine or brandy produced up to a maximum license fee of three hundred dollars.

10 2. Notwithstanding the provisions of subsection 1 of this section, a manufacturer
11 licensed under this section may use in any calendar year such wine- and brandy-making material
12 produced or grown outside the state of Missouri in a quantity not exceeding fifteen percent of
13 the manufacturer's wine entered into fermentation in the prior calendar year.

14 3. In any year when a natural disaster causes substantial loss to the Missouri crop of
15 grapes, berries, other fruits, fruit products, honey or vegetables from which wines are made, the
16 director of the department of agriculture shall determine the percent of loss and allow a certain
17 additional percent, based on the prior calendar year's production of such products, to be
18 purchased outside the state of Missouri to be used and offered for sale by Missouri wineries.

19 4. A manufacturer licensed under this section may purchase and sell bulk or packaged
20 wines or brandies received from other manufacturers licensed under this section and may also
21 purchase in bulk, bottle and sell to duly licensed wineries, wholesalers and retail dealers on any
22 day [except Sunday], and a manufacturer licensed under this section may offer samples of wine,
23 may sell wine and brandy in its original package directly to consumers at the winery, and may
24 open wine so purchased by customers so that it may be consumed on the winery premises [on
25 Monday through Saturday between 6:00 a.m. and midnight and on Sunday between 9:00 a.m.
26 and 10:00 p.m].

 311.195. 1. As used in this section, the term "microbrewery" means a business whose
2 primary activity is the brewing and selling of beer, with an annual production of ten thousand
3 barrels or less.

4 2. A microbrewer's license shall authorize the licensee to manufacture beer and malt
5 liquor in quantities not to exceed ten thousand barrels per annum. In lieu of the charges provided
6 in section 311.180, a license fee of five dollars for each one hundred barrels or fraction thereof,
7 up to a maximum license fee of two hundred fifty dollars, shall be paid to and collected by the
8 director of revenue.

9 3. Notwithstanding any other provision of this chapter to the contrary, the holder of a
10 microbrewer's license may apply for, and the supervisor of alcohol and tobacco control may
11 issue, a license to sell intoxicating liquor by the drink at retail for consumption on the premises.
12 No holder of a microbrewer's license, or any employee, officer, agent, subsidiary, or affiliate
13 thereof, shall have more than ten licenses to sell intoxicating liquor by the drink at retail for
14 consumption on the premises. The authority for the collection of fees by cities and counties as
15 provided in section 311.220, and all other laws and regulations relating to the sale of liquor by
16 the drink for consumption on the premises where sold, shall apply to the holder of a license
17 issued under the provisions of this section [in the same manner as they apply to establishments
18 licensed under the provisions of section [311.085,] 311.090[, 311.095, or 311.097].

19 4. The holder of a microbrewer's license may also sell beer and malt liquor produced on
20 the brewery premises to duly licensed wholesalers. However, holders of a microbrewer's license
21 shall not, under any circumstances, directly or indirectly, have any financial interest in any
22 wholesaler's business, and all such sales to wholesalers shall be subject to the restrictions of
23 sections 311.181 and 311.182.

24 5. A microbrewer who is a holder of a license to sell intoxicating liquor by the drink at
25 retail for consumption on the premises shall be exempt from the provisions of section 311.280,
26 for such intoxicating liquor that is produced on the premises in accordance with the provisions
27 of this chapter. For all other intoxicating liquor sold by the drink at retail for consumption on
28 the premises that the microbrewer possesses a license for must be obtained in accordance with
29 section 311.280.

311.200. 1. [No license shall be issued for] **For a permit authorizing the sale of**
2 **intoxicating liquor by grocers and other merchants and dealers in the original package**
3 **direct to the consumers but not for resale, a fee of three hundred dollars per year payable**
4 **to the director of the department of revenue shall be required.** [in the original package, not
5 to be consumed upon the premises where sold, except to a person engaged in, and to be used in
6 connection with, the operation of one or more of the following businesses: a drug store, a cigar
7 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
9 a value according to invoices of at least one thousand dollars, exclusive of fixtures and
10 intoxicating liquors.] Under such license, no intoxicating liquor shall be **sold for on-premises**
11 **consumption. This permit shall allow the licensee to conduct wine, malt beverage, and**
12 **distilled spirits tastings on the premises.** [consumed on the premises where sold nor shall any
13 original package be opened on the premises of the vendor except as otherwise provided in this
14 law. For every license for sale at retail in the original package, the licensee shall pay to the
15 director of revenue the sum of one hundred dollars per year.]

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

24 3. [For every license issued for the sale of malt liquor at retail by drink for consumption
25 on the premises where sold, the licensee shall pay to the director of revenue the sum of fifty

26 dollars per year. [Notwithstanding the provisions of section 311.290, any person licensed
27 pursuant to this subsection may also sell malt liquor at retail between the hours of 9:00 a.m. and
28 midnight on Sunday.

29 4.] For every license issued for the sale of malt liquor, **as defined in section 311.490,**
30 and light wines containing not in excess of fourteen percent of alcohol by weight made
31 exclusively from grapes, berries and other fruits and vegetables, at retail by the drink for
32 consumption on the premises where sold, the licensee shall pay to the director of revenue the
33 sum of [fifty] **three hundred** dollars per year, **which shall include the sale of intoxicating**
34 **liquor in the original package.**

35 [5.] **4.** For every license issued for the sale of all kinds of intoxicating liquor, at retail by
36 the drink for consumption on premises of the licensee, the licensee shall pay to the director of
37 revenue the sum of [three] **five** hundred dollars per year, which shall include the sale of
38 intoxicating liquor in the original package.

39 [6.] **5.** For every license issued to any railroad company, railway sleeping car company
40 operated in this state, for sale of all kinds of intoxicating liquor, as defined in this chapter, at
41 retail for consumption on its dining cars, buffet cars and observation cars, the sum of [one] **five**
42 hundred dollars per year. A duplicate of such license shall be posted in every car where such
43 beverage is sold or served, for which the licensee shall pay a fee of [one dollar] **ten dollars** for
44 each duplicate license.

45 [7.] **6.** All applications for licenses shall be made upon such forms and in such manner
46 as the supervisor of alcohol and tobacco control shall prescribe. No license shall be issued until
47 the sum prescribed by this section for such license shall be paid to the director of revenue.

311.290. No person having a license issued pursuant to this chapter, nor any employee
2 of such person, shall sell, give away, or permit the consumption of any intoxicating liquor in any
3 quantity between the hours of 1:30 a.m. and 6:00 a.m. on **each day of the week** [weekdays and
4 between the hours of 1:30 a.m. Sunday and 6:00 a.m. Monday], upon or about his or her
5 premises. If the person has a license to sell intoxicating liquor by the drink, his premises shall
6 be and remain a closed place as defined in this section between the hours of 1:30 a.m. and 6:00
7 a.m. on **each day of the week** [weekdays and between the hours of 1:30 a.m. Sunday and 6:00
8 a.m. Monday]. Where such licenses authorizing the sale of intoxicating liquor by the drink are
9 held by clubs, hotels, or bowling alleys, this section shall apply only to the room or rooms in
10 which intoxicating liquor is dispensed; and where such licenses are held by restaurants or
11 bowling alleys whose business is conducted in one room only, then the licensee shall keep
12 securely locked during the hours and on the days specified in this section all refrigerators,
13 cabinets, cases, boxes, and taps from which intoxicating liquor is dispensed. A "closed place"
14 is defined to mean a place where all doors are locked and where no patrons are in the place or

15 about the premises. Any person violating any provision of this section shall be deemed guilty
16 of a class A misdemeanor. Nothing in this section shall be construed to prohibit the sale or
17 delivery of any intoxicating liquor during any of the hours or on any of the days specified in this
18 section by a wholesaler licensed under the provisions of section 311.180 to a person licensed to
19 sell the intoxicating liquor at retail.

311.297. 1. Any winery, distiller, manufacturer, wholesaler, or brewer or designated
2 employee may provide and pour distilled spirits, wine, or malt beverage samples off a licensed
3 retail premises for tasting purposes provided no sales transactions take place. For purposes of
4 this section, a "sales transaction" shall mean an actual and immediate exchange of monetary
5 consideration for the immediate delivery of goods at the tasting site.

6 2. Notwithstanding any other provisions of this chapter to the contrary, any winery,
7 distiller, manufacturer, wholesaler, or brewer or designated employee may provide, furnish, or
8 pour distilled spirits, wine, or malt beverage samples for customer tasting purposes on any
9 temporary licensed retail premises as described in section [311.218,] 311.482[, 311.485, 311.486,
10 or 311.487,] or on any tax exempt organization's licensed premises as described in section
11 311.090.

12 3. (1) Notwithstanding any other provisions of this chapter to the contrary, any winery,
13 distiller, manufacturer, wholesaler, or brewer or designated employee may provide or furnish
14 distilled spirits, wine, or malt beverage samples on a licensed retail premises for customer tasting
15 purposes so long as the winery, distiller, manufacturer, wholesaler, or brewer or designated
16 employee has permission from the person holding the retail license. The retail licensed premises
17 where such product tasting is provided shall maintain a special permit in accordance with section
18 311.294 or hold a by-the-drink-for-consumption-on-the-premises-where-sold retail license. No
19 money or anything of value shall be given to the retailers for the privilege or opportunity of
20 conducting the on-the-premises product tasting.

21 (2) Distilled spirits, wine, or malt beverage samples may be dispensed by an employee
22 of the retailer, winery, distiller, manufacturer, or brewer or by a sampling service retained by the
23 retailer, winery, distiller, manufacturer, or brewer. All sampling service employees that provide
24 and pour intoxicating liquor samples on a licensed retail premises shall be required to complete
25 a server training program approved by the division of alcohol and tobacco control.

26 (3) Any distilled spirits, wine, or malt beverage sample provided by the retailer, winery,
27 distiller, manufacturer, wholesaler, or brewer remaining after the tasting shall be returned to the
28 retailer, winery, distiller, manufacturer, wholesaler, or brewer.

311.480. 1. It shall be unlawful for any person operating any premises where food,
2 beverages or entertainment are sold or provided for compensation, who does not possess a

3 license for the sale of intoxicating liquor, to permit the drinking or consumption of intoxicating
4 liquor in the premises, without having a license as in this section provided.

5 2. Application for such license shall be made to the supervisor of alcohol and tobacco
6 control on forms to be prescribed by him, describing the premises to be licensed and giving all
7 other reasonable information required by the form. The license shall be issued upon the payment
8 of the fee required in this section. A license shall be required for each separate premises and
9 shall expire on the thirtieth day of June next succeeding the date of such license. The license fee
10 shall be sixty dollars per year and the applicant shall pay five dollars for each month or part
11 thereof remaining from the date of the license to the next succeeding first of July. Applications
12 for renewals of licenses shall be filed on or before the first of May of each year.

13 3. The drinking or consumption of intoxicating liquor shall not be permitted in or upon
14 the licensed premises by any person under twenty-one years of age[, or by any other person
15 between the hours of 1:30 a.m. and 6:00 a.m. on any weekday, and between the hours of 1:30
16 a.m. Sunday and 6:00 a.m. Monday]. Licenses issued hereunder shall be conditioned upon the
17 observance of the provisions of this section and the regulations promulgated thereunder
18 governing the conduct of premises licensed for the sale of intoxicating liquor by the drink. [The
19 provision of this section regulating the drinking or consumption of intoxicating liquor between
20 certain hours and on Sunday shall apply also to premises licensed under this chapter to sell
21 intoxicating liquor by the drink.] In any incorporated city having a population of more than
22 twenty thousand inhabitants, the board of aldermen, city council, or other proper authorities of
23 incorporated cities may, in addition to the license fee required in this section, require a license
24 fee not exceeding three hundred dollars per annum, payable to the incorporated cities, and
25 provide for the collection thereof; make and enforce ordinances regulating the hours of
26 consumption of intoxicating liquors on premises licensed hereunder, not inconsistent with the
27 other provisions of this law, and provide penalties for the violation thereof. No person shall be
28 granted a license hereunder unless such person is of good moral character and a qualified legal
29 voter and a taxpaying citizen of the county, town, city or village, nor shall any corporation be
30 granted a license hereunder unless the managing officer of such corporation is of good moral
31 character and a qualified legal voter and taxpaying citizen of the county, town, city or village.

32 4. Any premises operated in violation of the provisions of this section, or where
33 intoxicating liquor is consumed in violation of this section, is hereby declared to be a public and
34 common nuisance, and it shall be the duty of the supervisor of alcohol and tobacco control and
35 of the prosecuting or circuit attorney of the city of St. Louis, and the prosecuting attorney of the
36 county in which the premises are located, to enjoin such nuisance.

37 5. Any person operating any premises, or any employee, agent, representative, partner,
38 or associate of such person, who shall knowingly violate any of the provisions of this section,

39 or any of the laws or regulations herein made applicable to the conduct of such premises, is
40 guilty of a class A misdemeanor.

41 6. The supervisor of alcohol and tobacco control is hereby empowered to promulgate
42 regulations necessary or reasonably designed to enforce or construe the provisions of this section,
43 and is empowered to revoke or suspend any license issued hereunder, as provided in this chapter,
44 for violation of this section or any of the laws or regulations herein made applicable to the
45 conduct of premises licensed hereunder.

46 7. Nothing in this section shall be construed to prohibit the sale or delivery of any
47 intoxicating liquor during any of the hours or on any of the days specified in this section by a
48 wholesaler licensed under the provisions of section 311.180 to a person licensed to sell the
49 intoxicating liquor at retail.

50 8. No intoxicating liquor may be served or sold on any premises used as a polling place
51 on election day.

311.482. 1. Notwithstanding any other provision of this chapter, a permit for the sale
2 of all kinds of intoxicating liquor, including intoxicating liquor in the original package, at retail
3 by the drink for consumption on the premises of the licensee may be issued to any church,
4 school, civic, service, fraternal, veteran, political, or charitable club or organization for the sale
5 of such intoxicating liquor at a picnic, bazaar, fair, or similar gathering. The permit shall be
6 issued only for the day or days named therein and it shall not authorize the sale of intoxicating
7 liquor for more than seven days by any such club or organization.

8 2. To secure the permit, the applicant shall complete a form provided by the supervisor,
9 but no applicant shall be required to furnish a personal photograph as part of the application.
10 The applicant shall pay a fee of twenty-five dollars for such permit.

11 3. [If the event will be held on a Sunday, the permit shall authorize the sale of
12 intoxicating liquor on that day beginning at 11:00 a.m.

13 4.] At the same time that an applicant applies for a permit under the provisions of this
14 section, the applicant shall notify the director of revenue of the holding of the event and by such
15 notification, by certified mail, shall accept responsibility for the collection and payment of any
16 applicable sales tax. Any sales tax due shall be paid to the director of revenue within fifteen days
17 after the close of the event, and failure to do so shall result in a liability of triple the amount of
18 the tax due plus payment of the tax, and denial of any other permit for a period of three years.
19 Under no circumstances shall a bond be required from the applicant.

20 [5.] 4. No provision of law or rule or regulation of the supervisor shall be interpreted as
21 preventing any wholesaler or distributor from providing customary storage, cooling or dispensing
22 equipment for use by the permit holder at such picnic, bazaar, fair or similar gathering.

311.665. Before any license is [issued or] renewed under the provisions of this chapter,
2 the supervisor of liquor control shall require a statement from the director of revenue that the
3 applicant has paid all sales and use taxes due, including all penalties and interest or does not owe
4 any sales or use tax.

5

[311.085. Any person possessing the qualifications and meeting the
2 requirements of this chapter and the ordinances, rules and regulations of the first
3 class county having a charter form of government in which such licensee
4 proposes to operate his business may apply for, and the supervisor of liquor
5 control may issue, a license for the sale by the drink of intoxicating liquor on the
6 premises described in the application. This license shall be valid only for
7 premises located wholly within the unincorporated areas of such a county.]

8

[311.086. 1. As used in this section, the following terms mean:

2

(1) "Common area", any area designated as a common area in a
3 development plan for the entertainment district approved by the governing body
4 of the city, any area of a public right-of-way that is adjacent to or within the
5 entertainment district when it is closed to vehicular traffic and any other area
6 identified in the development plan where a physical barrier precludes motor
7 vehicle traffic and limits pedestrian accessibility;

8

(2) "Entertainment district", any area located in a home rule city with
9 more than four hundred thousand inhabitants and located in more than one county
10 with a population of at least four thousand inhabitants that:

11

(a) Is located in the city's central business district which is the historic
12 core locally known as the city's downtown area;

13

(b) Contains a combination of entertainment venues, bars, nightclubs,
14 and restaurants; and

15

(c) Is designated as a redevelopment area by the governing body of the
16 city under and pursuant to the Missouri downtown and rural economic stimulus
17 act, sections 99.915 to 99.1060;

18

(3) "Portable bar", any bar, table, kiosk, cart, or stand that is not a
19 permanent fixture and can be moved from place to place;

20

(4) "Promotional association", an association, incorporated in the state
21 of Missouri, which is organized or authorized by one or more property owners
22 located within the entertainment district, who own or otherwise control not less
23 than one hundred thousand square feet of premises designed, constructed, and
24 available for lease for bars, nightclubs, restaurants, and other entertainment
25 venues, for the purpose of organizing and promoting activities within the
26 entertainment district. For purposes of determining ownership or control as set
27 forth in this subdivision, the square footage of premises used for residential,
28 office or retail uses, (other than bars, nightclubs, restaurants, and other

29 entertainment venues), parking facilities, and hotels within the entertainment
30 district shall not be used in the calculation of square footage.

31 2. Notwithstanding any other provisions of this chapter to the contrary,
32 any person acting on behalf of or designated by a promotional association, who
33 possesses the qualifications required by this chapter, and who meets the
34 requirements of and complies with the provisions of this chapter, may apply for,
35 and the supervisor of alcohol and tobacco control may issue, an entertainment
36 district special license to sell intoxicating liquor by the drink for retail for
37 consumption dispensed from one or more portable bars within the common areas
38 of the entertainment district until 3:00 a.m. on Mondays through Saturdays and
39 from 9:00 a.m. until 12:00 midnight on Sundays.

40 3. An applicant granted an entertainment district special license under
41 this section shall pay a license fee of three hundred dollars per year.

42 4. Notwithstanding any other provision of this chapter to the contrary, on
43 such days and at such times designated by the promotional association, in its sole
44 discretion, provided such times are during the hours a license is allowed under
45 this chapter to sell alcoholic beverages, the promotional association may allow
46 persons to leave licensed establishments, located in portions of the entertainment
47 district designated by the promotional association, with an alcoholic beverage and
48 enter upon and consume the alcoholic beverage within other licensed
49 establishments and common areas located in portions of the entertainment district
50 designated by the promotional association. No person shall take any alcoholic
51 beverage or alcoholic beverages outside the boundaries of the entertainment
52 district or portions of the entertainment district as designated by the promotional
53 association, in its sole discretion. At times when a person is allowed to consume
54 alcoholic beverages dispensed from portable bars and in common areas of all or
55 any portion of the entertainment district designated by the promotional
56 association, the promotional association must and shall ensure that minors can
57 be easily distinguished from persons of legal age buying alcoholic beverages.

58 5. Every licensee within the entertainment district must and shall serve
59 alcoholic beverages in containers that display and contain the licensee's trade
60 name or logo or some other mark that is unique to that license and licensee.

61 6. The holder of an entertainment district special license is solely
62 responsible for alcohol violations occurring at its portable bar and in any
63 common area.]

64

2 [311.088. Any person possessing the qualifications and meeting the
3 requirements of this chapter who is licensed to sell intoxicating liquor by the
4 drink at retail for consumption on the premises in a home rule city with more
5 than four hundred thousand inhabitants and located in more than one county may
6 be issued a special permit by the state and such city. Notwithstanding the
7 provisions of section 311.089 to the contrary, the special permit issued under this
section shall allow the licensed premises to sell intoxicating liquor from 6:00

8 a.m. until 3:00 a.m. on the morning of the following day within one twenty-four
9 hour period. Any person granted a special permit under this section shall only be
10 authorized to receive up to six such special permits from the city in a calendar
11 year. For every special permit issued under the provisions of this section, the
12 permittee shall pay to the director of the department of revenue the sum of fifty
13 dollars.]

14

2 [311.089. Any establishment possessing or qualifying for a license to sell
3 intoxicating liquor by the drink at retail in any city not within a county, any home
4 rule city with more than four hundred thousand inhabitants and located in more
5 than one county and if such establishment is also located in a resort area,
6 convention trade area, or enterprise zone area, the establishment may apply for
7 a Sunday by-the-drink license between the hours of 9:00 a.m. and midnight on
8 Sunday. The license fee for such Sunday by-the-drink license shall be six
9 hundred dollars per year. The license fee shall be prorated for the period of the
10 license based on the cost of the annual license for the establishment.]

10

2 [311.091. 1. Except as provided under subsection 2 of this section and
3 notwithstanding any other provisions of this chapter to the contrary, any person
4 who possesses the qualifications required by this chapter and who meets the
5 requirements of and complies with the provisions of this chapter may apply for
6 and the supervisor of alcohol and tobacco control may issue a license to sell
7 intoxicating liquor, as defined in this chapter, by the drink at retail for
8 consumption on the premises of any boat, or other vessel licensed by the United
9 States Coast Guard to carry one hundred or more passengers for hire on navigable
10 waters in or adjacent to this state, which has a regular place of mooring in a
11 location in this state or within two hundred yards of a location which would
12 otherwise be licensable under this chapter. The license shall be valid even
13 though the boat, or other vessel, leaves its regular place of mooring during the
14 course of its operation.

15 2. Any person who possesses the qualifications required by this chapter
16 and who meets the requirements of, and complies with the provisions of, this
17 chapter may apply for, and the supervisor of alcohol and tobacco control may
18 issue, a license to sell intoxicating liquor by the drink at retail for consumption
19 on the premises of any boat or other vessel licensed by the United States Coast
20 Guard to carry forty-five to ninety-nine passengers for hire on a lake with a
21 shoreline that is in three counties, one of which is any county of the third
22 classification without a township form of government and with more than
23 thirty-three thousand but fewer than thirty-seven thousand inhabitants and with
24 a city of the fourth classification with more than three thousand but fewer than
25 three thousand seven hundred inhabitants as the county seat, one of which is any
26 county of the third classification without a township form of government and
with more than twenty-nine thousand but fewer than thirty-three thousand

27 inhabitants and with a city of the fourth classification with more than four
28 hundred but fewer than four hundred fifty inhabitants as the county seat, and one
29 of which is any county of the first classification with more than fifty thousand but
30 fewer than seventy thousand inhabitants. The boat must have a regular place of
31 mooring in a location in this state or within two hundred yards of a location
32 which would otherwise be licensable under this chapter. The license shall be
33 valid even though the boat, or other vessel, leaves its regular place of mooring
34 during the course of its operation.

35 3. For every license for sale of liquor by the drink at retail for
36 consumption on the premises of any boat or other vessel issued under the
37 provisions of this section, the licensee shall pay to the director of revenue the sum
38 of three hundred dollars per year.]
39

2 [311.092. Notwithstanding any other provisions of this chapter to the
3 contrary, any person who possesses the qualifications required by this chapter,
4 and who meets the requirements of and complies with the provisions of this
5 chapter, may apply for and the supervisor of liquor control may issue a license to
6 sell intoxicating liquor, as in this chapter defined, by the drink at retail for
7 consumption on the premises of any boat, or other vessel which travels on water,
8 which has a regular place of mooring within the limits of a city not within a
9 county with a population of more than six hundred thousand inhabitants. The
10 license shall be valid even though the boat, or other vessel, leaves the corporate
11 limits of the city during the course of its operation.]

2 [311.095. 1. Notwithstanding any other provisions of this chapter to the
3 contrary, any person who possesses the qualifications required by this chapter,
4 and who now or hereafter meets the requirements of and complies with the
5 provisions of this chapter, may apply for, and the supervisor of liquor control may
6 issue, a license to sell intoxicating liquor, as defined in this chapter, by the drink
7 at retail for consumption on the premises of any resort as described in the
8 application. As used in this section the term "resort" means any establishment
9 having at least thirty rooms for the overnight accommodation of transient guests,
10 having a restaurant or similar facility on the premises at least sixty percent of the
11 gross income of which is derived from the sale of prepared meals or food, or
12 means a restaurant provided with special space and accommodations where, in
13 consideration of payment, food, without lodging, is habitually furnished to
14 travelers and customers, and which restaurant establishment's annual gross
15 receipts immediately preceding its application for a license shall not have been
16 less than seventy-five thousand dollars per year with at least fifty thousand
17 dollars of such gross receipts from nonalcoholic sales, or means a seasonal resort
18 restaurant with food sales as determined in subsection 2 of this section. Any
19 facility which is owned and operated as a part of the resort may be used to sell
intoxicating liquor by the drink for consumption on the premises of such facility

20 and, for the purpose of meeting the annual gross receipts requirements of this
21 subsection, if any facility which is a part of the resort meets such requirement,
22 such requirement shall be deemed met for any other facility which is a part of the
23 resort.

24 2. A seasonal resort restaurant is a restaurant which is not a new
25 restaurant establishment and which is open for business eight or fewer
26 consecutive months in any calendar year. Fifty percent of all gross sales of such
27 restaurant shall be sales of prepared meals. Any new seasonal resort restaurant
28 establishment having been in operation for less than twelve weeks may be issued
29 a temporary license to sell intoxicating liquor by the drink at retail for
30 consumption on the premises for a period not to exceed ninety days if the
31 seasonal resort restaurant establishment can show a projection for annualized
32 gross sales of which fifty percent shall be sales of prepared meals. The temporary
33 license fee and the annual license fee shall be prorated to reflect the period of
34 operation of the seasonal resort restaurant. The license shall be valid only during
35 the period for which application was made and for which the fee was paid. Any
36 seasonal resort restaurant upon resuming business for its season of operation shall
37 not be considered a new establishment for purposes of issuing a temporary
38 license. Nothing in this subsection shall prohibit a seasonal resort restaurant
39 from becoming a resort restaurant upon application, payment of fees, and
40 compliance with the requirements of this chapter.

41 3. The times for opening and closing the establishments as fixed in
42 section 311.290, the authority for the collection of fees by counties as provided
43 in section 311.220, and all other laws and regulations of the state relating to the
44 sale of liquor by the drink for consumption on the premises where sold shall
45 apply to resorts in the same manner as they apply to establishments licensed
46 under section 311.090.

47 4. Any new resort or restaurant establishment having been in operation
48 for less than ninety days may be issued a temporary license to sell intoxicating
49 liquor by the drink at retail for consumption on the premises for a period not to
50 exceed ninety days if the resort or restaurant establishment can show a projection
51 of an annual gross receipts of not less than seventy-five thousand dollars per year
52 with at least fifty thousand dollars of such gross receipts from nonalcoholic sales.
53 The license fee shall be prorated for the period of the temporary license based on
54 the cost of the annual license for the establishment.]

55

2 [311.096. 1. As used in this section, the term "common eating and
3 drinking area" means an area or areas within a building or group of buildings
4 designated for the eating of food and drinking of liquor sold at retail by
5 establishments which do not provide areas within their premises for the
6 consumption of food and liquor; where the costs of maintaining such area or
7 areas are shared by the payment of common area maintenance charges, as
provided in the respective leases permitting the use of such areas, or otherwise;

8 and where the annual gross income from the sale of prepared meals or food
9 consumed in such common eating and drinking area is, or is projected to be, at
10 least two hundred seventy-five thousand dollars.

11 2. Notwithstanding any other provisions of this chapter to the contrary,
12 any person who possesses the qualifications required by this chapter, or who now
13 or hereafter meets the requirements of and complies with the provisions of this
14 chapter, may apply for, and the supervisor of liquor control may issue, a license
15 to sell intoxicating liquor, as defined in this chapter, by the drink at retail not for
16 consumption on the premises where sold but for consumption in a common
17 eating and drinking area, as described in the application for such license. In
18 addition to all other fees required by law, each establishment in a common eating
19 and drinking area licensed under this subsection shall pay to the director of
20 revenue the sum of three hundred dollars per year. The times for selling
21 intoxicating liquor as fixed in section 311.290, the authority for the collection of
22 fees by counties and cities as provided in section 311.220, and all other laws and
23 regulations of this state relating to the sale of intoxicating liquor by the drink
24 shall apply to each establishment licensed under this subsection in the same
25 manner as they apply to establishments licensed under sections 311.085 and
26 311.090.

27 3. Notwithstanding any other provisions of this chapter to the contrary,
28 any person who possesses the qualifications required by this chapter, and who
29 now or hereafter meets the requirements of and complies with the provisions of
30 this chapter, may apply for, and the supervisor of liquor control may issue, a
31 license to sell intoxicating liquor, as defined in this chapter, between the hours
32 of 11:00 a.m. on Sunday and 12:00 midnight on Sunday by the drink at retail not
33 for consumption on the premises where sold but for consumption in a common
34 eating and drinking area, as described in the application for such license. In
35 addition to all other fees required by law, each establishment in a common eating
36 and drinking area licensed under this subsection shall pay an additional fee of two
37 hundred dollars a year payable at the same time and in the same manner as its
38 other license fees.

39 4. Any person possessing the qualifications and meeting the requirements
40 of this chapter, who is licensed to sell intoxicating liquor by the drink at retail not
41 for consumption on the premises where sold but for consumption in a common
42 eating and drinking area, may apply to the supervisor of liquor control for a
43 special permit to remain open on all days of the week except Sunday between the
44 hours of 1:30 a.m. to 3:00 a.m. The provisions of subsection 3 of this section
45 shall apply to the sale of intoxicating liquor by the drink at retail not for
46 consumption on the premises where sold but for consumption in a common
47 eating and drinking area on Sunday. To qualify for such a permit, the premises
48 of such an applicant must be located in an area which has been designated as a
49 convention trade area by the governing body of the county or city. An applicant
50 granted a special permit under this section shall pay, in addition to all other fees

51 required by this chapter, an additional fee of three hundred dollars a year payable
52 at the time and in the same manner as its other license fees.]
53

2 [311.174. 1. Any person possessing the qualifications and meeting the
3 requirements of this chapter who is licensed to sell intoxicating liquor by the
4 drink at retail for consumption on the premises in a city with a population of at
5 least four thousand inhabitants which borders the Missouri River and also borders
6 a city with a population of over three hundred thousand inhabitants located in at
7 least three counties, in a city with a population of over three hundred thousand
8 which is located in whole or in part within a first class county having a charter
9 form of government or in a first class county having a charter form of
10 government which contains all or part of a city with a population of over three
11 hundred thousand 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
13 a.m. of the morning of the following day; except that, an entity exempt from
14 federal income taxes under Section 501(c)(7) of the Internal Revenue Code of
15 1986, as amended, and located in a building designated as a National Historic
16 Landmark by the United States Department of the Interior may apply for a license
17 to remain open until 6:00 a.m. of the following day. The time of opening on
18 Sunday may be 9:00 a.m. The provisions of this section and not those of section
19 311.097 regarding the time of closing shall apply to the sale of intoxicating liquor
20 by the drink at retail for consumption on the premises on Sunday. When the
21 premises of such an applicant is located in a city as defined in this section, then
22 the premises must be located in an area which has been designated as a
23 convention trade area by the governing body of the city. When the premises of
24 such an applicant is located in a county as defined in this section, then the
25 premises must be located in an area which has been designated as a convention
26 trade area by the governing body of the county.

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

31 3. The provisions of this section allowing for extended hours of business
32 shall not apply in any incorporated area wholly located in any first class county
33 having a charter form of government which contains all or part of a city with a
34 population of over three hundred thousand inhabitants until the governing body
35 of such incorporated area shall have by ordinance or order adopted the extended
36 hours authorized by this section.]

2 [311.176. 1. Any person possessing the qualifications and meeting the
3 requirements of this chapter who is licensed to sell intoxicating liquor by the
4 drink at retail for consumption on the premises in a city not located within a
county, may apply to the supervisor of alcohol and tobacco control for a special

5 permit to remain open on each day of the week until 3:00 a.m. of the morning of
 6 the following day. The time of opening on Sunday may be 9:00 a.m. The
 7 provisions of this section and not those of section 311.097 regarding the time of
 8 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
 10 premises of such an applicant must be located in an area which has been
 11 designated as a convention trade area by the governing body of the city and the
 12 applicant must meet at least one of the following conditions:

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

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

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

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

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

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

21 2. Any person possessing the qualifications and meeting the requirements
 22 of this chapter who is licensed to sell intoxicating liquor by the drink at retail for
 23 consumption on the premises in a county of the third classification without a

24 township form of government having a population of more than twenty-three
25 thousand five hundred but less than twenty-three thousand six hundred
26 inhabitants, a county of the third classification without a township form of
27 government having a population of more than nineteen thousand three hundred
28 but less than nineteen thousand four hundred inhabitants or a county of the first
29 classification without a charter form of government with a population of at least
30 thirty-seven thousand inhabitants but not more than thirty-seven thousand one
31 hundred inhabitants may apply to the supervisor of alcohol and tobacco control
32 for a special permit to remain open on each day of the week until 3:00 a.m. of the
33 morning of the following day. The time of opening on Sunday may be 9:00 a.m.
34 The provisions of this section and not those of section 311.097 regarding the time
35 of closing shall apply to the sale of intoxicating liquor by the drink at retail for
36 consumption on the premises on Sunday. The applicant shall meet all of the
37 following conditions:

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

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

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

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

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

61 5. The provisions of this section allowing for extended hours of business
62 shall not apply in any incorporated area wholly located in any county of the first
63 classification having a charter form of government which does not contain all or
64 part of a city with a population of over three hundred thousand inhabitants until
65 the governing body of such incorporated area shall have by ordinance or order
66 adopted the extended hours authorized by this section.]

67

[311.179. 1. Any person possessing the qualifications and meeting the requirements of this chapter who is licensed to sell intoxicating liquor by the drink at retail in an international airport located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants may apply to the supervisor of liquor control for a special permit. The permit shall allow the premises located in the international airport in such county to open at 4 a.m. and sell intoxicating liquor by the drink at retail for consumption on the premises where sold. The provisions of this section and not those of section 311.097 regarding the time of opening shall apply to the sale of intoxicating liquor by the drink at retail for consumption on the premises where sold on Sunday.

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

[311.210. 1. All applications for all licenses mentioned in this chapter shall be made to the supervisor of liquor control and shall be accompanied by a proper remittance made payable to the director of revenue.

2. The supervisor of liquor control shall have the power and duty to determine whether each application for such license shall be approved or disapproved. Upon disapproval of any application for a license, the supervisor of liquor control shall so notify the applicant in writing, setting forth therein the grounds and reasons for disapproval, and shall return therewith the applicant's remittance. Upon approval of any application for a license, the supervisor of liquor control shall issue to the applicant the appropriate license and contemporaneously with such issuance shall file a notice of the issuance of such license together with the applicant's remittance in payment of the same with the director of revenue. The director of revenue shall immediately issue a receipt in duplicate for such payment, one copy of which shall be filed with the supervisor of liquor control and one copy retained by the director of revenue.]

[311.218. 1. Other provisions of this chapter to the contrary notwithstanding, a permit for the sale of wine and malt liquor for consumption on the premises where sold may be issued to any church, school, civic, service, fraternal, veteran, political, or charitable club or organization for sale of such wine and malt liquor at any picnic, bazaar, fair, festival or similar gathering or event held to commemorate the annual anniversary of the signing of the Declaration of Independence of the United States. Such permit shall be issued only during the period from June fifteenth to July fifteenth annually and only for the day or days named therein and it shall not authorize the sale of wine and malt liquor except between the hours of 10:00 a.m. and midnight and for not more

11 than seven days by any such organization. The permit may be issued to cover
12 more than one place of sale within the general confines of the place where the
13 gathering or event is held; provided, however, no permit shall be issued to any
14 organization which selects or restricts the membership thereof on the basis of
15 race, religion, color, creed, or place of national origin. For the permit, the holder
16 thereof shall pay to the director of revenue the sum of one hundred dollars. No
17 provision of law or rule or regulation of the supervisor shall prevent any
18 wholesaler or distributor from providing customary storage, cooling or dispensing
19 equipment for use by the holder of the permit at such gathering or event.

20 2. As used in this section the term "wine" means a beverage containing
21 not in excess of fourteen percent of alcohol by weight.]
22

[311.293. 1. Except for any establishment that may apply for a license
2 under section 311.089, any person possessing the qualifications and meeting the
3 requirements of this chapter, who is licensed to sell intoxicating liquor at retail,
4 may apply to the supervisor of alcohol and tobacco control for a special license
5 to sell intoxicating liquor at retail between the hours of 9:00 a.m. and midnight
6 on Sundays. A licensee under this section shall pay to the director of revenue an
7 additional fee of two hundred dollars a year payable at the same time and in the
8 same manner as its other license fees.

9 2. In addition to any fee collected pursuant to section 311.220, a city or
10 county may charge and collect an additional fee not to exceed three hundred
11 dollars from any licensee under this section for the privilege of selling
12 intoxicating liquor at retail between the hours of 9:00 a.m. and midnight on
13 Sundays in such city or county; however the additional fee shall not exceed the
14 fee charged by that city or county for a special license issued pursuant to any
15 provision of this chapter which allows a licensee to sell intoxicating liquor by the
16 drink for consumption on the premises of the licensee on Sundays.

17 3. The provisions of this section regarding the time of closing shall not
18 apply to any person who possesses a special permit issued under section 311.174,
19 311.176, or 311.178.]
20

21 [311.294. 1. Notwithstanding any other provisions of this chapter to the
22 contrary, any person possessing the qualifications and meeting the requirements
23 of this chapter, who is licensed to sell intoxicating liquor in the original package
24 at retail under sections 311.200 and 311.293, may apply to the supervisor of
25 liquor control for a special permit to conduct wine, malt beverage and distilled
26 spirit tastings on the licensed premises. A licensee under this section shall pay
27 to the director of revenue an additional twenty-five dollars a year payable at the
28 same time and manner as other license fees.

29 2. Nothing in this section shall be construed to permit the licensee to sell
30 wine, malt beverages or distilled spirits for on-premises consumption.]
31

2 [311.298. When January first, March seventeenth, July fourth, or
3 December thirty-first falls on Sunday, and on the Sundays prior to Memorial Day
4 and Labor Day and on the Sunday on which the national championship game of
5 the national football league is played, commonly known as "Super Bowl
6 Sunday", any person having a license to sell intoxicating liquor by the drink may
7 be open for business and sell intoxicating liquor by the drink under the provisions
8 of his license on that day from the time and until the time which would be lawful
9 on another day of the week, notwithstanding any provisions of section 311.290
10 or any other provision of law to the contrary.]

2 [311.483. 1. The supervisor of liquor control may issue a temporary
3 permit to persons holding licenses to sell intoxicating liquor by the drink at retail
4 for consumption on the premises pursuant to the provisions of this chapter who
5 furnish provisions and service for use at a festival as defined in chapter 316. An
6 application for a permit under this section shall be made at least five business
7 days prior to the festival. The temporary permit shall be effective for a period not
8 to exceed one hundred sixty-eight consecutive hours, and shall authorize the
9 service of alcoholic beverages at such festival during the hours at which alcoholic
10 beverages may lawfully be sold or served upon premises licensed to sell alcoholic
11 beverages for on-premises consumption. For every permit issued pursuant to the
12 provisions of this section, the permittee shall pay to the director of revenue the
13 sum of ten dollars for each calendar day, or fraction thereof, for which the permit
14 is issued.

15 2. All provisions of the liquor control law and the ordinances, rules, and
16 regulations of the incorporated city, or the unincorporated area of any county, in
17 which is located the premises in which such function, occasion, or event is held
18 shall extend to such premises and shall be in force and enforceable during all the
19 time that the permittee, its agents, servants, employees, or stock are in such
20 premises. This temporary permit shall allow the sale of intoxicating liquor in the
21 original package.

22 3. To assure and control product quality, wholesalers may, but shall not
23 be required to, give a retailer credit for intoxicating liquor delivered and invoiced
24 under the permit number, but not used, if the wholesaler removes the product
25 within seventy-two hours of the expiration of the permit issued pursuant to this
26 section.

27 4. No provision of law or rule or regulation of the supervisor shall be
28 interpreted as preventing any wholesaler, retailers, or distributor from providing
29 customary storage, cooling, or dispensing equipment for use at a festival.]

2 [311.485. 1. The supervisor of liquor control may issue a temporary
3 permit to caterers and other persons holding licenses to sell intoxicating liquor
4 by the drink at retail for consumption on the premises pursuant to the provisions
of this chapter who furnish provisions and service for use at a particular function,

5 occasion or event at a particular location other than the licensed premises, but not
6 including a festival as defined in chapter 316. The temporary permit shall be
7 effective for a period not to exceed one hundred sixty-eight consecutive hours,
8 and shall authorize the service of alcoholic beverages at such function, occasion
9 or event during the hours at which alcoholic beverages may lawfully be sold or
10 served upon premises licensed to sell alcoholic beverages for on-premises
11 consumption. For every permit issued pursuant to the provisions of this section,
12 the permittee shall pay to the director of revenue the sum of ten dollars for each
13 calendar day, or fraction thereof, for which the permit is issued.

14 2. Except as provided in subsection 3 of this section, all provisions of the
15 liquor control law and the ordinances, rules and regulations of the incorporated
16 city, or the unincorporated area of any county, in which is located the premises
17 in which such function, occasion or event is held shall extend to such premises
18 and shall be in force and enforceable during all the time that the permittee, its
19 agents, servants, employees, or stock are in such premises. This temporary
20 permit shall allow the sale of intoxicating liquor in the original package.

21 3. Notwithstanding any other law to the contrary, any caterer who
22 possesses a valid state and valid local liquor license may deliver alcoholic
23 beverages in the course of his or her catering business. A caterer who possesses
24 a valid state and valid local liquor license need not obtain a separate license for
25 each city the caterer delivers in, so long as such city permits any caterer to deliver
26 alcoholic beverages within the city.

27 4. To assure and control product quality, wholesalers may, but shall not
28 be required to, give a retailer credit for intoxicating liquor with an alcohol content
29 of less than five percent by weight delivered and invoiced under the catering
30 permit number, but not used, if the wholesaler removes the product within
31 seventy-two hours of the expiration of the catering permit issued pursuant to this
32 section.]

33

2 [311.486. 1. The supervisor of alcohol and tobacco control may issue a
3 special license to caterers and other persons holding licenses to sell intoxicating
4 liquor by the drink at retail for consumption on the premises pursuant to the
5 provisions of this chapter who furnish provisions and service for use at a
6 particular function, occasion, or event at a particular location other than the
7 licensed premises, but not including a festival as defined in chapter 316. The
8 special license shall be effective for a maximum of fifty days during any year, and
9 shall authorize the service of alcoholic beverages at such function, occasion, or
10 event during the hours at which alcoholic beverages may lawfully be sold or
11 served upon premises licensed to sell alcoholic beverages for on-premises
12 consumption. For every special license issued pursuant to the provisions of this
13 subsection, the licensee shall pay to the director of revenue the sum of five
14 hundred dollars a year payable at the same time and in the same manner as its
other license fees.

15 2. The supervisor of alcohol and tobacco control may issue a special
16 license to caterers and other persons holding licenses to sell intoxicating liquor
17 by the drink at retail for consumption on the premises pursuant to the provisions
18 of this chapter who furnish provisions and service for use at a particular function,
19 occasion, or event at a particular location other than the licensed premises, but
20 not including a festival as defined in chapter 316. The special license shall be
21 effective for an unlimited number of functions during the year, and shall
22 authorize the service of alcoholic beverages at such function, occasion, or event
23 during the hours at which alcoholic beverages may lawfully be sold or served
24 upon premises licensed to sell alcoholic beverages for on-premises consumption.
25 For every special license issued pursuant to the provisions of this subsection, the
26 licensee shall pay to the director of revenue the sum of one thousand dollars a
27 year payable at the same time and in the same manner as its other license fees.

28 3. Caterers issued a special license pursuant to subsections 1 and 2 of this
29 section shall report to the supervisor of alcohol and tobacco control the location
30 of each function three business days in advance. The report of each function
31 shall include permission from the property owner and city, description of the
32 premises, and the date or dates the function will be held.

33 4. Except as provided in subsection 5 of this section, all provisions of the
34 liquor control law and the ordinances, rules and regulations of the incorporated
35 city, or the unincorporated area of any county, in which is located the premises
36 in which such function, occasion, or event is held shall extend to such premises
37 and shall be in force and enforceable during all the time that the licensee, its
38 agents, servants, employees, or stock are in such premises. Any special license
39 issued under this section shall allow the sale of intoxicating liquor in the original
40 package.

41 5. Notwithstanding any other law to the contrary, any caterer who
42 possesses a valid state and valid local liquor license may deliver alcoholic
43 beverages, in the course of his or her catering business. A caterer who possesses
44 a valid state and valid local liquor license need not obtain a separate license for
45 each city the caterer delivers in, so long as such city permits any caterer to deliver
46 alcoholic beverages within the city.

47 6. To assure and control product quality, wholesalers may, but shall not
48 be required to, give a retailer credit for intoxicating liquor with an alcohol content
49 of less than five percent by weight delivered and invoiced under the catering
50 license number, but not used, if the wholesaler removes the product within
51 seventy-two hours of the expiration of the catering function.]

52

2 [311.487. 1. The supervisor of liquor control may issue to any person
3 holding a concessionaire's contract, issued by the Missouri state fair, an annual
4 license effective for the fourteen-day period when the fair is held and for any
5 additional periods of time approved by the director of the fair which shall
authorize the sale of malt liquor and Missouri-produced wines, for consumption

6 on the premises where sold, on the Missouri state fairgrounds and, in the case of
7 Missouri-produced wines, in the original package, on each day of the week within
8 any period which has been approved by the director of the fair and during the
9 hours at which such malt liquor or wine may lawfully be sold or served upon
10 premises licensed to sell malt liquor or wine for on-premises consumption in the
11 incorporated city in which the Missouri state fair is located. For every permit
12 issued pursuant to the provisions of this section, the permittee shall pay to the
13 director of revenue the sum of one hundred dollars for such license, except that
14 for licenses issued to the concessionaire of the premises on the fairgrounds
15 known as the grandstand and to the concessionaire of the premises on the
16 fairgrounds known as the exhibition center, there shall be paid to the director of
17 revenue the sum of three hundred dollars for such licenses.

18 2. All provisions of the liquor control law and the ordinances, rules and
19 regulations of the incorporated city in which is located the Missouri state fair
20 shall extend to such premises and shall be in force and enforceable during all the
21 time that the permittee, its agents, servants, employees or stock are on such
22 premises.]

✓