

SECOND REGULAR SESSION

HOUSE BILL NO. 2159

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RHOADS.

5858H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 311.195, RSMo, and to enact in lieu thereof one new section relating to licenses for microbreweries.

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

Section A. Section 311.195, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 311.195, to read as follows:

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

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

3. Notwithstanding any other provision of this chapter to the contrary, the holder of a microbrewer's license may apply for, and the supervisor of alcohol and tobacco control may issue, a license to sell **all kinds of intoxicating liquor, as defined in this chapter**, by the drink at retail for consumption on the premises **of the microbrewery or in close proximity to the microbrewery**. No holder of a microbrewer's license, or any employee, officer, agent, subsidiary, or affiliate thereof, shall have more than ten licenses to sell intoxicating liquor by the drink at retail for consumption on the premises. [The authority for the collection of fees by cities and counties as provided in section 311.220, and all other laws and regulations relating to the sale of liquor by the drink for consumption on the premises where sold, shall apply to the holder

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.

18 of a license issued under the provisions of this section in the same manner as they apply to
19 establishments licensed under the provisions of section 311.085, 311.090, 311.095, or 311.097.]

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

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

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