

SECOND REGULAR SESSION

HOUSE BILL NO. 2339

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GOSEN.

5977H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 311, RSMo, by adding thereto one new section relating to retail practices surrounding alcoholic beverages.

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

Section A. Chapter 311, RSMo, is amended by adding thereto one new section, to be known as section 311.198, to read as follows:

311.198. Notwithstanding any other provision of law, rule, or regulation to the contrary, a brewer may lease portable refrigeration units to retail licensees at a fair market value rate. Such portable refrigeration units shall remain the property of the brewer. The brewer may also enter into lease agreements with wholesalers, who may enter into sublease agreements with retail licensees at a fair market value rate. The portable refrigeration units will become the property of the wholesaler at the end of the lease period, which is to be defined between the brewer and the wholesaler. A wholesaler may not directly or indirectly fund the cost or maintenance of the portable refrigeration units. Brewers shall be responsible for maintaining adequate records of retailer payments so as to be able to verify fulfillment of lease agreements. No portable refrigeration unit may exceed one hundred twenty five cubic feet in storage space. Such portable refrigeration unit shall bear in a conspicuous manner substantial advertising about a product or products of the brewer that shall be visible to consumers inside the retail outlet.

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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.