

FIRST REGULAR SESSION

# HOUSE BILL NO. 916

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BAILEY.

1880H.011

DANA RADEMAN MILLER, Chief Clerk

## AN ACT

To repeal section 311.280, RSMo, and to enact in lieu thereof one new section relating to intoxicating liquor, with a penalty provision.

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

Section A. Section 311.280, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 311.280, to read as follows:

311.280. 1. It shall be unlawful for any person in this state holding a retail liquor license to purchase any intoxicating liquor except from, by or through a duly licensed wholesale liquor dealer in this state. It shall be unlawful for such retail liquor dealer to sell or offer for sale any intoxicating liquor purchased in violation of the provisions of this section. ~~[Any person violating any provision of this section shall be deemed guilty of a misdemeanor.]~~

2. Any retailer licensed pursuant to this chapter shall not:

(1) Sell intoxicating liquor with an alcohol content of less than five percent by weight to the consumer in an original carton received from the wholesaler that has been mutilated, torn apart, or cut apart; or

(2) Repackage intoxicating liquor with an alcohol content of less than five percent by weight in a manner misleading to the consumer or that results in required labeling being omitted or obscured.

**3. (1) Notwithstanding the provisions of subsection 1 of this section to the contrary, a retailer licensed under this chapter to sell intoxicating liquor for on-premise consumption may purchase intoxicating liquor from a retailer licensed under this chapter to sell intoxicating liquor for off-premise consumption when such intoxicating liquor was originally purchased from a duly licensed wholesale liquor dealer in this state.**

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           **(2) Such licensed off-premise retailer shall apply to the supervisor of liquor control**  
19 **for a license, which shall cost two hundred fifty dollars per year, to make sales to on-**  
20 **premise retailers, shall only make sales under such license to an entity holding a valid on-**  
21 **premise retailer's license, and shall report such sales to the supervisor on a monthly basis**  
22 **on forms prescribed by the supervisor that identify:**

23           **(a) The products and quantities purchased;**

24           **(b) The buyers and the buyers' on-premise license numbers; and**

25           **(c) The wholesale liquor dealer from whom the seller purchased such products.**

26           **(3) In the event the supervisor produces a list of on-premise license holders that are**  
27 **in arrears on their financial obligations to a licensed wholesaler for more than sixty days,**  
28 **the holder of a retailer-to-retailer license shall not sell intoxicating liquor to any entity on**  
29 **such list.**

30           **4. Any person violating any provision of this section shall be deemed guilty of a**  
31 **misdemeanor.**

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