

FIRST REGULAR SESSION

HOUSE BILL NO. 167

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLY (144).

Read 1st time January 13, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0912L.011

AN ACT

To repeal section 311.310, RSMo, and to enact in lieu thereof one new section relating to sales of intoxicating liquor to a minor, with penalty provisions.

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

Section A. Section 311.310, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 311.310, to read as follows:

311.310. Any licensee under this chapter, or his employee, who shall sell, vend, give away or otherwise supply any intoxicating liquor in any quantity whatsoever to any person under the age of twenty-one years, or to any person intoxicated or appearing to be in a state of intoxication, or to a habitual drunkard, and any person whomsoever except his parent or guardian who shall procure for, sell, give away or otherwise supply intoxicating liquor to any person under the age of twenty-one years, or to any intoxicated person or any person appearing to be in a state of intoxication, or to a habitual drunkard, shall be deemed guilty of a misdemeanor **unless such person has previously pleaded guilty to or nolo contendere to, or been found guilty of two or more misdemeanor offenses of any kind in which case such person shall be deemed guilty of a class D felony**, except that this section shall not apply to the supplying of intoxicating liquor to a person under the age of twenty-one years for medical purposes only, or to the administering of such intoxicating liquor to any person by a duly licensed physician. No person shall be denied a license or renewal of a license issued under this chapter solely due to a conviction for unlawful sale or supply to a minor when serving in the capacity as an employee of a licensed establishment.