

SECOND REGULAR SESSION

# HOUSE BILL NO. 1541

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DIXON (Sponsor), DEMPSEY AND ICET (Co-sponsors).

Read 1<sup>st</sup> time February 19, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4523L.011

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### AN ACT

To repeal section 311.320, RSMo, and to enact in lieu thereof one new section relating to misrepresentation of age by a minor to obtain liquor, with penalty provisions.

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

Section A. Section 311.320, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 311.320, to read as follows:

311.320. 1. Any person of the age of seventeen years and under the age of twenty-one years who shall represent that he has attained the age of twenty-one years for the purpose of purchasing, asking for or in any way receiving any intoxicating liquor, except in cases authorized by law, shall upon conviction be deemed guilty of a misdemeanor. Any person under the age of seventeen years who shall represent that he has attained the age of twenty-one years for the purpose of purchasing, asking for or in any way receiving any intoxicating liquor, except in cases authorized by law, may be considered a delinquent child and may be dealt with in accordance with the provisions of chapter 211, RSMo.

2. In addition to any other penalties established in subsection 1 of this section and established in sections 577.500 to 577.530, RSMo, any person who is less than twenty-one years of age who uses a reproduced, modified or altered chauffeur's license, motor vehicle operator's license, identification card issued by any uniformed service of the United States, passport or identification card established in section 302.181, RSMo, for the purpose of purchasing, asking for or in any way receiving any intoxicating liquor, shall be guilty of a misdemeanor and shall be subject to a fine of five hundred dollars for each separate offense.

**3. Any licensee under this chapter may bring a civil action against any person who violates this section if the violation occurs on the premises of the licensee. If a judgment**

18 **is entered in favor of the licensee, the court shall award the licensee civil damages in the**  
19 **amount of one thousand dollars and shall award reasonable costs and attorney fees.**