

SECOND REGULAR SESSION

HOUSE BILL NO. 1186

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JOHNSON (47).

Read 1st time January 21, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3923L.011

AN ACT

To repeal section 311.485, RSMo, and to enact in lieu thereof one new section relating to liquor licenses and permits for caterers.

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

Section A. Section 311.485, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 311.485, to read as follows:

311.485. 1. The supervisor of [liquor] **alcohol and tobacco** control may issue a temporary permit **or special license** to caterers and other persons holding licenses to sell intoxicating liquor by the drink at retail for consumption on the premises pursuant to the provisions of this chapter who furnish provisions and service for use at a particular function, occasion or event at a particular location other than the licensed premises, but not including a "festival" as defined in chapter 316, RSMo. [The] **A** temporary permit **or special license** shall [be effective for a period not to exceed one hundred twenty consecutive hours, and shall] authorize the service of alcoholic beverages at such function, occasion or event during the hours at which alcoholic beverages may lawfully be sold or served upon premises licensed to sell alcoholic beverages for on-premises consumption. For every **temporary permit or special license** issued [pursuant to the provisions of] **under** this section, the permittee **or licensee** shall pay to the director of revenue the [sum of ten dollars for each calendar day, or fraction thereof, for which the permit is issued] **following sums:**

(1) **For temporary permits effective for one hundred twenty consecutive hours or less, ten dollars for each calendar day, or fraction thereof, for which the permit is issued;**

(2) **For special licenses effective for a maximum of fifty days during any year, five**

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.

17 **hundred dollars per year, payable at the same time and in the same manner as the**
18 **licensee's other license fees;**

19 **(3) For special licenses effective for an unlimited number of days during the year,**
20 **one thousand dollars per year, payable at the same time and in the same manner as the**
21 **licensee's other license fees.**

22 2. Except as provided in subsection 3 of this section, all provisions of the liquor control
23 law and the ordinances, rules and regulations of the incorporated city, or the unincorporated area
24 of any county, in which is located the premises in which such function, occasion or event is held
25 shall extend to such premises and shall be in force and enforceable during all the time that the
26 permittee **or licensee**, its agents, servants, employees, or stock are in such premises. Except for
27 Missouri-produced wines in the original package **when sold or served by a temporary**
28 **permittee, or any wines in the original package when sold or served by a special licensee,**
29 the provisions of this section shall not include the sale of packaged goods covered by [this] **a**
30 temporary permit **or special license.**

31 3. Notwithstanding any other law to the contrary, any caterer who possesses a valid state
32 and valid local liquor license may deliver alcoholic beverages, in the course of his or her catering
33 business. A caterer who possesses a valid state and valid local liquor license need not obtain a
34 separate license for each city the caterer delivers in, so long as such city permits any caterer to
35 deliver alcoholic beverages within the city.

36 4. To assure and control product quality, wholesalers may, but shall not be required to,
37 give a retailer credit for intoxicating liquor with an alcohol content of less than five percent by
38 weight or nonintoxicating beer delivered and invoiced under the catering **temporary permit or**
39 **special license** number, but not used, if the wholesaler removes the product within seventy-two
40 hours of the expiration of [the] **a catering temporary permit issued [pursuant to] under this**
41 **section, or within seventy-two hours of the expiration of the catering function when a**
42 **special license has been issued under this section.**

43 5. Caterers issued a special license under this section shall report to the supervisor
44 **of alcohol and tobacco control the location of each function three business days in advance.**
45 **The report of each function shall include permission from the property owner and city, a**
46 **description of the premises, and the dates the function will be held.**