

SECOND REGULAR SESSION

# HOUSE BILL NO. 1516

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES KELLY (144) (Sponsor), BARNITZ,  
JETTON AND PORTWOOD (Co-sponsors).

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

STEPHEN S. DAVIS, Chief Clerk

4682L.011

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### AN ACT

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

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

Section A. Section 311.310, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 311.310, to read as follows:

311.310. **1. It shall be unlawful for** any licensee under this chapter, or his **or her** employee, [who shall] **to** 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] **or for** any person [whomsoever except his parent or guardian who shall] **to** 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, 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.

**2. It shall be unlawful for any person to procure for, sell, give away or otherwise supply intoxicating liquor to any person under the age of twenty-one years.**

**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.**

16           **3. The provisions of subsections 1 and 2 of this section shall not apply to the**  
17 **supplying of intoxicating liquor to a person under the age of twenty-one years for medical**  
18 **purposes only, or to the administering of such intoxicating liquor to any person by a duly**  
19 **licensed physician.**

20           **4. The provisions of subsections 1 and 2 of this section shall not apply to the**  
21 **supplying of intoxicating liquor to a person under the age of twenty-one years if the liquor**  
22 **was supplied for use as part of a religious ceremony or as part of the practice of religious**  
23 **beliefs.**

24           **5. Any person who violates the provisions of subsection 1 of this section shall be**  
25 **guilty of a class A misdemeanor. Any person who violates the provisions of subsection 2**  
26 **of this section shall be guilty of a class A misdemeanor unless, as a direct result of the**  
27 **consumption of such intoxicating liquor by the minor to whom it was supplied, or the**  
28 **consumption of such intoxicating liquor by any minor who subsequently obtains it, any**  
29 **person suffers serious physical injury or death, in which case such person shall be guilty**  
30 **of a class D felony.**