

FIRST REGULAR SESSION

# HOUSE BILL NO. 450

## 93RD GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVE MEINERS.

Read 1<sup>st</sup> time February 3, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0929L.011

---

### AN ACT

To amend chapter 311, RSMo, by adding thereto one new section relating to wine.

---

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

Section A. Chapter 311, RSMo, is amended by adding thereto one new section, to be  
2 known as section 311.101, to read as follows:

**311.101. 1. Notwithstanding any other provision of law, it shall not be unlawful for  
2 the owner, operator, or employees of a restaurant bar, as defined in section 311.097, to  
3 allow patrons to carry out one or more bottles of unfinished wine, nor shall it be unlawful  
4 for patrons of such restaurant bar to carry out one or more bottles of unfinished wine  
5 under the following conditions:**

6       **(1) The patron must have ordered a meal;**

7       **(2) The bottle or bottles of wine must have been at least partially consumed during  
8 the meal;**

9       **(3) The restaurant bar must provide a dated receipt for the unfinished bottle or  
10 bottles of wine; and**

11       **(4) The restaurant bar must securely reseal the bottle or bottles of wine and place  
12 them in one or more one-time-use, tamper-proof, transparent bags and securely seal the  
13 bags.**

14       **2. Notwithstanding any other provision of law, no person who transports one or  
15 more bottles of unfinished wine which came from a restaurant bar under the circumstances  
16 described in subsection 1 of this section, in a vehicle, shall be considered to have violated  
17 any state law or local ordinance regarding open containers in vehicles so long as such**

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 **person has in his or her possession the dated receipt from the restaurant bar and the bottle**  
19 **or bottles of wine remain in the restaurant bar furnished, one-time-use, tamper-proof,**  
20 **transparent bags with the seals intact.**