

FIRST REGULAR SESSION

HOUSE BILL NO. 97

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BROWN (30) (Sponsor), WILDBERGER, ERVIN, QUINN,
PAGE, PHILLIPS, BIVINS, SATER, SKAGGS AND BAKER (123) (Co-sponsors).

Pre-filed December 16, 2004 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0239L.011

AN ACT

To amend chapter 578, RSMo, by adding thereto one new section relating to open house parties,
with a penalty provision.

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

Section A. Chapter 578, RSMo, is amended by adding thereto one new section, to be
2 known as section 578.455, to read as follows:

578.455. 1. As used in this section, the following terms mean:

2 (1) "Controlled substance", any controlled substance or controlled substance
3 analogue as defined in section 195.010, RSMo;

4 (2) "Intoxicating liquor", any alcoholic beverage defined as intoxicating liquor in
5 section 311.020, RSMo;

6 (3) "Nonintoxicating beer", any beer defined as nonintoxicating beer in section
7 312.010, RSMo;

8 (4) "Open house party", any social gathering of persons in addition to an owner
9 or those with rights of possession or their immediate family members.

10 2. No owner of or person in possession of real property shall allow any open house
11 party to take place on the real property if the owner or possessor knows or reasonably
12 should know that any minor possesses, consumes, or purchases any nonintoxicating beer,
13 intoxicating liquor, or controlled substance while the minor is on the real property.

14 3. Every owner of or person in possession of real property on which an open house
15 party takes place who knows or reasonably should know of any minor purchasing,

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.

16 possessing, or consuming any nonintoxicating beer, intoxicating liquor, or controlled
17 substance while the minor is on the real property shall take reasonable steps to prevent the
18 purchase, possession, or consumption of the nonintoxicating beer, intoxicating liquor, or
19 controlled substance on the real property.

20 **4. Any person convicted of violating this section shall be guilty of a class B**
21 **misdemeanor.**

22 **5. This section shall not be construed to apply to the lawful purchase, possession,**
23 **or consumption of any nonintoxicating beer, intoxicating liquor, or controlled substance**
24 **by any minor.**