

FIRST REGULAR SESSION

HOUSE BILL NO. 43

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SMITH (14).

Pre-filed December 1, 2006 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0337L.01I

AN ACT

To repeal section 311.190, RSMo, and to enact in lieu thereof one new section relating to the tasting of wine.

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

Section A. Section 311.190, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 311.190, to read as follows:

311.190. 1. For the privilege of manufacturing wine or brandy, which manufacturing shall be in accordance with all provisions of federal law applicable thereto except as may otherwise be specified in this section, in quantities not to exceed five hundred thousand gallons, not in excess of eighteen percent of alcohol by weight for wine, or not in excess of thirty- four percent of alcohol by weight for brandy, from grapes, berries, other fruits, fruit products, honey, and vegetables produced or grown in the state of Missouri, exclusive of sugar, water and spirits, there shall be paid to and collected by the director of revenue, in lieu of the charges provided in section 311.180, a license fee of five dollars for each five hundred gallons or fraction thereof of wine or brandy produced up to a maximum license fee of three hundred dollars.

2. Notwithstanding the provisions of subsection 1 of this section, a manufacturer licensed under this section may use in any calendar year such wine- and brandy-making material produced or grown outside the state of Missouri in a quantity not exceeding fifteen percent of the manufacturer's wine entered into fermentation in the prior calendar year.

3. In any year when a natural disaster causes substantial loss to the Missouri crop of grapes, berries, other fruits, fruit products, honey or vegetables from which wines are made, the

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 director of the department of agriculture shall determine the percent of loss and allow a certain
17 additional percent, based on the prior calendar year's production of such products, to be
18 purchased outside the state of Missouri to be used and offered for sale by Missouri wineries.

19 4. A manufacturer licensed under this section may purchase and sell bulk or packaged
20 wines or brandies received from other manufacturers licensed under this section and may also
21 purchase in bulk, bottle and sell to duly licensed wineries, wholesalers and retail dealers on any
22 day except Sunday, and a manufacturer licensed under this section may offer samples of wine,
23 may sell wine and brandy in its original package directly to consumers at the winery, and may
24 open wine so purchased by customers so that it may be consumed on the winery premises on
25 Monday through Saturday between 6:00 a.m. and midnight and on Sunday between [11:00 a.m.]
26 **9:00 a.m.** and 10:00 p.m.

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