

FIRST REGULAR SESSION

HOUSE BILL NO. 736

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MEINERS (Sponsor), HUNTER, WALSH, YOUNG, DAUS,
VILLA, FAITH, BLAND, BURNETT, VOGT AND LOWE (44) (Co-sponsors).

Read 1st time February 1, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1644L.01I

AN ACT

To amend chapter 311, RSMo, by adding thereto one new section relating to sale of liquor, with
penalty provisions.

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 311.489, to read as follows:

**311.489. 1. A permit for the sale of intoxicating liquor as defined in section 311.020,
2 and nonintoxicating beer as defined in section 312.010, RSMo, for consumption on
3 premises where sold may be issued to any festival district that includes three or more
4 businesses that are licensed bars, nightclubs, restaurants, or other entertainment venues
5 and a common area that is closed to vehicle traffic, provided that the permit is held by a
6 promotional association. A "promotional association" is defined as an entity formed by
7 property owners who own or operate fifty percent or more of the square feet of bars,
8 nightclubs, restaurants, and other entertainment venues located within the proposed
9 district.**

10 **2. The promotional association may obtain a permit if the promotional association
11 submits a plan to the governing municipality containing basic information, which includes
12 the legal description of the district, the name and address of each business participating
13 in the promotional association, the intended calendar of events for the district, a
14 description of the proposed festival activities, proof of adequate insurance, and a**

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.

15 description of security for any proposed festivals. Such permit shall cost three hundred
16 dollars per year. Such plan may be amended during the year subject to governing
17 municipality approval.

18 3. If the plan is approved, the promotional association may sell liquor for
19 consumption within the district common areas between 9:00 a.m. and 1:00 a.m. on Monday
20 through Saturday and between 11:00 a.m. and 12:00 a.m. on Sunday. However, if a
21 promotional association is issued a license to sell intoxicating liquor under section 311.096,
22 a festival district permit may allow for the conducting of sales within the hours of
23 operation designated by such license. Such promotional association may permit customers
24 to leave an establishment within the district after purchasing an alcoholic beverage and
25 consume the beverage in the district common areas or another licensed establishment
26 within the district. No person shall be allowed to take any alcoholic beverage outside the
27 boundaries of the festival district.

28 4. If participating in a promotional association event, every bar, nightclub,
29 restaurant, promotional association, or other entertainment venue that serves alcoholic
30 beverages within the festival district shall use disposable paper, plastic, or foam cups or
31 other light-weight containers for all alcoholic beverages that the bar, nightclub, restaurant,
32 promotional association, or other entertainment venue sells within the festival district
33 boundaries for consumption in the district common area.

34 5. If minors are allowed to enter the festival district, the applicant shall ensure that
35 such minors are easily distinguished from persons of legal age.

36 6. The holder of the permit is solely responsible for any alcohol violations occurring
37 within the common areas. For any violation of this chapter or of any rule or regulation of
38 the supervisor of alcohol and tobacco control, the promotional association may be assessed
39 a civil fine of not more than five thousand dollars. If a promotional association is found
40 to be responsible for such violations at three separate events, then such promotional
41 association shall not seek approval for subsequent plans without the prior written consent
42 of the supervisor of alcohol and tobacco control. The promotional association's then
43 current plan shall be deemed terminated, and the businesses participating in the
44 promotional association's events shall not participate in activities permitted by subsection
45 3 of this section without prior written consent from the supervisor of alcohol and tobacco
46 control.

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