

SECOND REGULAR SESSION

# HOUSE BILL NO. 2421

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES MEINERS (Sponsor), McGHEE, SCHARNHORST, RICHARD, FUNDERBURK, JONES (89), SMITH (14), HOSKINS, HOLSMAN, HUNTER, KUESSNER, TALBOY, BROWN (50), HUBBARD, RUCKER, VILLA, BAKER (25), SCHOEMEHL, LeVOTA, CURLS, SCHLOTTACH, STREAM, HOBBS, WILDBERGER, CUNNINGHAM (145), STORCH, DOUGHERTY, YOUNG, WALSH, DAUS, FALLERT, CASEY, VOGT, ROBB, LOWE (44), DARROUGH, HUGHES, DUSENBERG AND DENISON (Co-sponsors).

Read 1st time March 12, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

5473L.011

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### AN ACT

To amend chapter 311, RSMo, by adding thereto one new section relating to liquor licenses for certain festival districts, with penalty provisions.

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*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 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, and nonintoxicating beer as defined in section 312.010, RSMo, for consumption on premises where sold, and to conduct specified festival events, may be issued to any festival district, located in any home rule city with more than four hundred thousand inhabitants and located in more than one county, that includes three or more businesses that are licensed bars, nightclubs, restaurants, or other entertainment venues and a common area that is closed to vehicle traffic, provided that the permit is held by a promotional association. A "promotional association" is defined as an entity formed by property owners who own or operate fifty percent or more of the square feet of bars, nightclubs, restaurants, and other entertainment venues located within the proposed district.**

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.

11           **2. The promotional association may obtain a permit if the promotional association**  
12 **submits a plan to the governing body of the city containing basic information, which**  
13 **includes the legal description of the district and the common area within which such**  
14 **festivals shall be held, the name, address, and responsible person of each business**  
15 **participating in the promotional association, the specific calendar of events for the district**  
16 **which shall not exceed twenty such events and shall include the dates and times of any such**  
17 **events, a description of the proposed festival activities including any proposed public street**  
18 **closures if applicable, proof of adequate insurance, and a detailed description of security**  
19 **for any proposed festivals. Such permit shall cost three hundred dollars per year. Such**  
20 **plan may be amended during the year subject to governing municipality approval.**

21           **3. If the plan is approved, the promotional association may conduct the events**  
22 **described in the plan and may sell liquor for consumption within the district common areas**  
23 **between 9:00 a.m. and 1:00 a.m. on Monday through Saturday and between 11:00 a.m. and**  
24 **12:00 a.m. on Sunday and in accordance with any additional time constraints stated in**  
25 **such plan. Such promotional association may permit customers to leave an establishment**  
26 **within the district after purchasing an alcoholic beverage and consume the beverage in the**  
27 **district common areas or another licensed establishment within the district. No person**  
28 **shall be allowed to take any alcoholic beverage outside the boundaries of the festival**  
29 **district.**

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

36           **5. If minors are allowed to enter the festival district, which shall be clearly stated**  
37 **in the festival district's approved plan, the applicant shall ensure that such minors are**  
38 **easily distinguished from persons of legal age and any approved plan shall include the**  
39 **method by which this provision shall be satisfied.**

40           **6. The holder of the permit is solely responsible for any alcohol violations occurring**  
41 **within the common areas. For any violation of this chapter or of any rule or regulation of**  
42 **the supervisor of alcohol and tobacco control, the promotional association may be assessed**  
43 **a civil fine of not more than five thousand dollars. If a promotional association is found**  
44 **to be responsible for such violations at three separate events, then such promotional**  
45 **association shall not seek approval for subsequent plans without the prior written consent**  
46 **of the supervisor of alcohol and tobacco control. The promotional association's then**

47 **current plan shall be deemed terminated, and the businesses participating in the**  
48 **promotional association's events shall not participate in activities permitted by subsection**  
49 **3 of this section without prior written consent from the supervisor of alcohol and tobacco**  
50 **control.**

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