

SECOND REGULAR SESSION

# HOUSE BILL NO. 1367

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SCHLOTTACH (Sponsor), DIECKHAUS, NANCE, SCHIEFFER,  
FISHER (125) AND ALLEN (Co-sponsors).

3785L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 311.297, RSMo, and to enact in lieu thereof one new section relating to the  
tasting of liquor.

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

Section A. Section 311.297, RSMo, is repealed and one new section enacted in lieu  
2 thereof, to be known as section 311.297, to read as follows:

311.297. 1. Any winery, distiller, manufacturer, wholesaler, or brewer or designated  
2 employee may provide and pour distilled spirits, wine, or malt beverage samples off a licensed  
3 retail premises for tasting purposes provided no sales transactions take place. For purposes of  
4 this section, a "sales transaction" shall mean an actual and immediate exchange of monetary  
5 consideration for the immediate delivery of goods at the tasting site.

6 2. Notwithstanding any other provisions of this chapter to the contrary, any winery,  
7 distiller, manufacturer, wholesaler, or brewer or designated employee may provide, furnish, or  
8 pour distilled spirits, wine, or malt beverage samples for customer tasting purposes on any  
9 temporary licensed retail premises as described in section 311.218, 311.482, 311.485, 311.486,  
10 or 311.487, or on any tax exempt organization's licensed premises as described in section  
11 311.090.

12 **3. Notwithstanding any other provisions of this chapter to the contrary, any winery,**  
13 **distiller, manufacturer, wholesaler, or brewer or designated employee may provide,**  
14 **furnish, or pour distilled spirits, wine, or malt beverage samples on a licensed retail**  
15 **premises for customer tasting purposes. The retail licensed premises where such product**  
16 **tasting is provided shall maintain a special permit in accordance with section 311.294 or**

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.

17 ~~hold a by-the-drink-for-consumption-on-the-premises-where-sold~~ retail license. No money  
18 or anything of value shall be given to the retailers for the privilege or opportunity of  
19 conducting the on-the-premises product tasting.

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