

SECOND REGULAR SESSION

HOUSE BILL NO. 1378

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SALVA.

3955L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 311.097, RSMo, and to enact in lieu thereof one new section relating to liquor sales.

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

Section A. Section 311.097, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 311.097, to read as follows:

311.097. 1. Notwithstanding any other provisions of this chapter to the contrary, any person who possesses the qualifications required by this chapter, and who now or hereafter meets the requirements of and complies with the provisions of this chapter, may apply for, and the supervisor of control may issue, a license to sell intoxicating liquor, as in this chapter defined, between the hours of 9:00 a.m. on Sunday and midnight on Sunday by the drink at retail for consumption on the premises of any restaurant bar as described in the application or on the premises of any establishment having at least forty rooms for the overnight accommodations of transient guests. As used in this section, the term "restaurant bar" means any establishment having a restaurant or similar facility on the premises **where** at least fifty percent of the gross income of which is derived from the sale of prepared meals or food [consumed on such premises] or which [has an annual gross income of at least two hundred thousand dollars from the sale of prepared meals or food consumed on such premises] **restaurant establishment's annual gross receipts immediately preceding its application for a license is not less than seventy-five thousand dollars per year.**

2. The authority for the collection of fees by cities and counties as provided in section 311.220, and all other laws and regulations of the state relating to the sale of liquor by the drink for consumption on the premises where sold, shall apply to a restaurant bar or on the premises

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.

18 of any establishment having at least forty rooms for the overnight accommodations of transient
19 guests in the same manner as they apply to establishments licensed under sections 311.085,
20 311.090 and 311.095, and in addition to all other fees required by law, a restaurant bar or on the
21 premises of any establishment having at least forty rooms for the overnight accommodations of
22 transient guests shall pay an additional fee of two hundred dollars a year payable at the same time
23 and in the same manner as its other license fees.

24 3. Any new restaurant bar having been in operation for less than ninety days may be
25 issued a temporary license to sell intoxicating liquor by the drink at retail for consumption on
26 the premises between the hours of 9:00 a.m. and midnight on Sunday for a period not to exceed
27 ninety days if the restaurant bar can show a projection of annual business from prepared meals
28 or food consumed on the premises of at least fifty percent of the total gross income of the
29 restaurant bar for the year or can show a projection of annual business from prepared meals or
30 food consumed on the premises which would exceed not less than two hundred thousand dollars.
31 The license fee shall be prorated for the period of the temporary license based on the cost of the
32 annual license for the establishment.

33 4. In counties of the first class having a charter form of government and which contain
34 all or a part of a city having a population of at least three hundred fifty thousand, any restaurant
35 bar licensed under the provisions of this section which is located on the grounds of a sports
36 stadium primarily used for professional sporting events may sell intoxicating liquor by the drink
37 at retail for consumption within the premises of the restaurant bar on Sunday between the hours
38 of 8:00 a.m. and 12:00 midnight notwithstanding the hours of limitation set forth in subsection
39 1 of this section.

40 5. The provisions of this section regarding the time of closing shall not apply to any
41 person who possesses a special permit issued under section 311.174, 311.176, or 311.178.

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