

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 0145, Page 5, Section 67.319, Line 53,
2 by inserting immediately after said line the following:

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

9 2. Notwithstanding any other provisions of this chapter to the contrary, any winery,
10 distiller, manufacturer, wholesaler, or brewer or designated employee may provide, furnish, or
11 pour distilled spirits, wine, or malt beverage samples for customer tasting purposes on any
12 temporary licensed retail premises as described in section 311.218, 311.482, 311.485, 311.486, or
13 311.487, or on any tax exempt organization's licensed premises as described in section 311.090.

14 3. (1) Notwithstanding any other provisions of this chapter to the contrary, any winery,
15 distiller, manufacturer, wholesaler, or brewer or designated employee may provide or furnish
16 distilled spirits, wine, or malt beverage samples on a licensed retail premises for customer tasting
17 purposes so long as the winery, distiller, manufacturer, wholesaler, or brewer or designated
18 employee has permission from the person holding the retail license. The retail licensed premises
19 where such product tasting is provided shall maintain a special permit in accordance with section
20 311.294 or hold a by-the-drink-for-consumption-on-the-premises-where-sold retail license. No
21 money or anything of value shall be given to the retailers for the privilege or opportunity of
22 conducting the on-the-premises product tasting.

1 (2) Distilled spirits, wine, or malt beverage samples may be dispensed by an employee of
2 the retailer, winery, distiller, manufacturer, or brewer or by a sampling service retained by the
3 retailer, winery, distiller, manufacturer, or brewer. All sampling service employees that provide
4 and pour intoxicating liquor samples on a licensed retail premises shall be required to complete a
5 server training program approved by the division of alcohol and tobacco control.

6 (3) Any distilled spirits, wine, or malt beverage sample provided by the retailer, winery,
7 distiller, manufacturer, wholesaler, or brewer remaining after the tasting shall be returned to the
8 retailer, winery, distiller, manufacturer, wholesaler, or brewer.”; and

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10 Further amend said bill by amending the title, enacting clause, and intersectional references
11 accordingly.

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