

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Bill No. 77, Page 1, In the title, Line 3, by deleting the phrase "neighborhood youth
2 development programs" and inserting in lieu thereof the word "children"; and
3

4 Further amend said bill, Page 2, Section 210.278, Line 27, by inserting after all of said section and
5 line, the following:
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7 "311.310. 1. Any licensee under this chapter, or his employee, who shall sell, vend, give
8 away or otherwise supply any intoxicating liquor in any quantity whatsoever to any person under the
9 age of twenty-one years, or to any person intoxicated or appearing to be in a state of intoxication, or
10 to a habitual drunkard, and any person whomsoever except his parent or guardian who shall procure
11 for, sell, give away or otherwise supply intoxicating liquor to any person under the age of twenty-one
12 years, or to any intoxicated person or any person appearing to be in a state of intoxication, or to a
13 habitual drunkard, shall be deemed guilty of a misdemeanor, except that this section shall not apply
14 to the supplying of intoxicating liquor to a person under the age of twenty-one years for medical
15 purposes only, or to the administering of such intoxicating liquor to any person by a duly licensed
16 physician. No person shall be denied a license or renewal of a license issued under this chapter
17 solely due to a conviction for unlawful sale or supply to a minor when serving in the capacity as an
18 employee of a licensed establishment.

19 2. Any owner, occupant, or other person or legal entity with a lawful right to the exclusive
20 use and enjoyment of any property who knowingly allows a person under the age of twenty-one to
21 drink or possess intoxicating liquor or knowingly fails to stop a person under the age of twenty-one
22 from drinking or possessing intoxicating liquor on such property, unless such person allowing the
23 person under the age of twenty-one to drink or possess intoxicating liquor is his or her parent or
24 guardian, is guilty of a class B misdemeanor. Any second or subsequent violation of this subsection
25 is a class A misdemeanor.

26 3. Any parent, guardian, or other adult with a lawful right to the exclusive use and
27 enjoyment of any property who knowingly allows a person under the age of twenty-one to drink or
28 possess intoxicating liquor or knowingly fails to stop a person under the age of twenty-one from
29 drinking or possessing intoxicating liquor on such property shall be considered a social host. In the
30 event that intoxicating liquor furnished by a social host may be found to be a contributing proximate
31 cause of resulting permanent personal injuries or death, the social host is guilty of a class D felony,
32 the minimum prison term which he or she must serve shall be eighty-five percent of his or her

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1 sentence, and, he or she is not eligible for probation or suspension of execution of sentence unless
2 the entire sentence is served.

3 4. It shall be a defense to prosecution under this section if:

4 (1) The defendant is a licensed retailer, club, drinking establishment, or caterer or holds a
5 temporary permit, or an employee thereof;

6 (2) The defendant sold the intoxicating liquor to the minor with reasonable cause to believe
7 that the minor was twenty-one or more years of age; and

8 (3) To purchase the intoxicating liquor, the person exhibited to the defendant a driver's
9 license, Missouri nondriver's identification card, or other official or apparently official document,
10 containing a photograph of the minor and purporting to establish that such minor was twenty-one
11 years of age and of the legal age for consumption of intoxicating liquor.

12 5. The provisions of subsection 3 of this section shall be known as "Laura's Law".

13 577.010. 1. A person commits the crime of "driving while intoxicated" if he operates a
14 motor vehicle while in an intoxicated or drugged condition.

15 2. Driving while intoxicated is for the first offense, a class B misdemeanor. No person
16 convicted of or pleading guilty to the offense of driving while intoxicated shall be granted a
17 suspended imposition of sentence for such offense, unless such person [shall be] is placed on
18 probation for a minimum of two years and successfully completes either a program prescribed under
19 a DWI court or docket or another court-ordered treatment program.

20 3. Notwithstanding the provisions of subsection 2 of this section, in a circuit where a DWI
21 court or docket created under section 478.007 or other court-ordered treatment program is available,
22 no person who operated a motor vehicle with fifteen-hundredths of one percent or more by weight of
23 alcohol in such person's blood shall be granted a suspended imposition of sentence unless the
24 individual participates and successfully completes a program under such DWI court or docket or
25 other court-ordered treatment program.

26 4. If a person is not granted a suspended imposition of sentence for the reasons described in
27 subsection 3 of this section for such first offense:

28 (1) If the individual operated the motor vehicle with fifteen-hundredths to twenty-hundredths
29 of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall
30 be not less than forty-eight hours;

31 (2) If the individual operated the motor vehicle with greater than twenty-hundredths of one
32 percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not
33 less than five days.

34 577.012. 1. A person commits the crime of "driving with excessive blood alcohol content" if
35 such person operates a motor vehicle in this state with eight-hundredths of one percent or more by
36 weight of alcohol in such person's blood.

37 2. As used in this section, percent by weight of alcohol in the blood shall be based upon
38 grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be
39 shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of
40 determining the alcoholic content of a person's blood under this section, the test shall be conducted in
41 accordance with the provisions of sections 577.020 to 577.041.

1 3. For the first offense, driving with excessive blood alcohol content is a class B
2 misdemeanor. No person convicted of or pleading guilty to the offense of driving while intoxicated
3 shall be granted a suspended imposition of sentence for such offense, unless such person is placed on
4 probation for a minimum of two years and successfully completes either a program under a DWI
5 court or docket or another court-ordered treatment program.

6 4. In a circuit where a DWI court or docket created under section 478.007 or other
7 court-ordered treatment program is available, no person who operated a motor vehicle with
8 fifteen-hundredths of one percent or more by weight of alcohol in such person's blood shall be
9 granted a suspended imposition of sentence unless the individual participates and successfully
10 completes a program under such DWI court or docket or other court-ordered treatment program.

11 5. If a person is not granted a suspended imposition of sentence for the reasons described in
12 subsection 4 of this section, for such first offense:

13 (1) If the individual operated the motor vehicle with fifteen-hundredths to twenty-hundredths
14 of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall
15 be not less than forty-eight hours;

16 (2) If the individual operated the motor vehicle with greater than twenty-hundredths of one
17 percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not
18 less than five days."; and

19
20 Further amend said bill by amending the title, enacting clause, and intersectional references
21 accordingly.