

HOUSEAMENDMENT NO. \_\_\_\_Offered byof

1 AMEND House Committee Substitute for House Bill No. 1058, Page 1,  
 2 Section A, Line 3, by inserting after all of said line the  
 3 following:

4 "311.060. 1. No person shall be granted a license  
 5 hereunder unless such person is of good moral character and a  
 6 qualified legal voter and a taxpaying citizen of the county,  
 7 town, city or village, or a permanent legal resident of the  
 8 United States, nor shall any corporation be granted a license  
 9 hereunder unless the managing officer of such corporation is of  
 10 good moral character and a qualified legal voter and taxpaying  
 11 citizen of the county, town, city or village, or a permanent  
 12 legal resident of the United States; and no person shall be  
 13 granted a license or permit hereunder whose license as such  
 14 dealer has been revoked, or who has been convicted, since the  
 15 ratification of the twenty-first amendment to the Constitution of  
 16 the United States, of a violation of the provisions of any law  
 17 applicable to the manufacture or sale of intoxicating liquor, or  
 18 who employs in his or her business as such dealer any person  
 19 whose license has been revoked or who has been convicted of  
 20 violating such law since the date aforesaid; provided, that  
 21 nothing in this section contained shall prevent the issuance of  
 22 licenses to nonresidents of Missouri or foreign corporations for  
 23 the privilege of selling to duly licensed wholesalers and  
 24 soliciting orders for the sale of intoxicating liquors to, by or  
 25 through a duly licensed wholesaler, within this state.

26 2. (1) No person, partnership or corporation shall be  
 27 qualified for a license under this law if such person, any member  
 28 of such partnership, or such corporation, or any officer,  
 29 director, or any stockholder owning, legally or beneficially,

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1 directly or indirectly, ten percent or more of the stock of such  
2 corporation, or other financial interest therein, or ten percent  
3 or more of the interest in the business for which the person,  
4 partnership or corporation is licensed, or any person employed in  
5 the business licensed under this law shall have had a license  
6 revoked under this law or shall have been convicted of violating  
7 the provisions of any law applicable to the manufacture or sale  
8 of intoxicating liquor since the ratification of the twenty-first  
9 amendment to the Constitution of the United States, or shall not  
10 be a person of good moral character.

11 (2) No license issued under this chapter shall be denied,  
12 suspended, revoked or otherwise affected based solely on the fact  
13 that an employee of the licensee has been convicted of a felony  
14 unrelated to the manufacture or sale of intoxicating liquor.  
15 Each employer shall report the identity of any employee convicted  
16 of a felony to the division of liquor control. The division of  
17 liquor control shall promulgate rules to enforce the provisions  
18 of this subdivision.

19 (3) No wholesaler license shall be issued to a corporation  
20 for the sale of intoxicating liquor containing alcohol in excess  
21 of five percent by weight, except to a resident corporation as  
22 defined in this section.

23 3. A "resident corporation" is defined to be a corporation  
24 incorporated under the laws of this state, all the officers and  
25 directors of which, and all the stockholders, who legally and  
26 beneficially own or control sixty percent or more of the stock in  
27 amount and in voting rights, shall be qualified legal voters and  
28 taxpaying citizens of the county and municipality in which they  
29 reside, or permanent legal residents of the United States, and  
30 who shall have been bona fide residents of the state for a period  
31 of three years continuously immediately prior to the date of  
32 filing of application for a license, provided that a stockholder  
33 need not be a voter or a taxpayer, and all the resident  
34 stockholders of which shall own, legally and beneficially, at  
35 least sixty percent of all the financial interest in the business  
36 to be licensed under this law; provided, that no corporation,  
37 licensed under the provisions of this law on January 1, 1947, nor

1 any corporation succeeding to the business of a corporation  
2 licensed on January 1, 1947, as a result of a tax-free  
3 reorganization coming within the provisions of Section 112,  
4 United States Internal Revenue Code, shall be disqualified by  
5 reason of the new requirements herein, except corporations  
6 engaged in the manufacture of alcoholic beverages containing  
7 alcohol in excess of five percent by weight, or owned or  
8 controlled, directly or indirectly, by nonresident persons,  
9 partnerships or corporations engaged in the manufacture of  
10 alcoholic beverages containing alcohol in excess of five percent  
11 by weight.

12 4. The term "financial interest" as used in this chapter is  
13 defined to mean all interest, legal or beneficial, direct or  
14 indirect, in the capital devoted to the licensed enterprise and  
15 all such interest in the net profits of the enterprise, after the  
16 payment of reasonable and necessary operating business expenses  
17 and taxes, including interest in dividends, preferred dividends,  
18 interest and profits, directly or indirectly paid as compensation  
19 for, or in consideration of interest in, or for use of, the  
20 capital devoted to the enterprise, or for property or money  
21 advanced, loaned or otherwise made available to the enterprise,  
22 except by way of ordinary commercial credit or bona fide bank  
23 credit not in excess of credit customarily granted by banking  
24 institutions, whether paid as dividends, interest or profits, or  
25 in the guise of royalties, commissions, salaries, or any other  
26 form whatsoever.

27 5. The supervisor shall by regulation require all  
28 applicants for licenses to file written statements, under oath,  
29 containing the information reasonably required to administer this  
30 section. Statements by applicants for licenses as wholesalers  
31 and retailers shall set out, with other information required,  
32 full information concerning the residence of all persons  
33 financially interested in the business to be licensed as required  
34 by regulation. All material changes in the information filed  
35 shall be promptly reported to the supervisor."; and  
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37 Further amend said title, enacting clause and intersectional

1 references accordingly.