

HOUSE**AMENDMENT NO. _____****Offered by _____****of _____**

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 16 license as such dealer has been revoked, or who has been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 21 such dealer any person whose license has been revoked or who has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

29 2. (1) No person, partnership or corporation shall be

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

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

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

26 3. A "resident corporation" is defined to be a corporation
27 incorporated under the laws of this state, all the officers and
28 directors of which, and all the stockholders, who legally and
29 beneficially own or control sixty percent or more of the stock in
30 amount and in voting rights, shall be qualified legal voters and
31 taxpaying citizens of the county and municipality in which they
32 reside and who shall have been bona fide residents of the state
33 for a period of three years continuously immediately prior to the
34 date of filing of application for a license, provided that a
35 stockholder need not be a voter or a taxpayer, and all the
36 resident stockholders of which shall own, legally and
37 beneficially, at least sixty percent of all the financial

1 interest in the business to be licensed under this law; provided,
2 that no corporation, licensed under the provisions of this law on
3 January 1, 1947, nor any corporation succeeding to the business
4 of a corporation licensed on January 1, 1947, as a result of a
5 tax-free reorganization coming within the provisions of Section
6 112, United States Internal Revenue Code, shall be disqualified
7 by reason of the new requirements herein, except corporations
8 engaged in the manufacture of alcoholic beverages containing
9 alcohol in excess of five percent by weight, or owned or
10 controlled, directly or indirectly, by nonresident persons,
11 partnerships or corporations engaged in the manufacture of
12 alcoholic beverages containing alcohol in excess of five percent
13 by weight.

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

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

1 Further amend said title, enacting clause and intersectional
2 references accordingly.