

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 12 license as such dealer has been revoked, or who has been  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 17 such dealer any person whose license has been revoked or who has  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

25 (2) Notwithstanding any other provision of this chapter to  
 26 the contrary, a permanent legal resident shall not be granted a  
 27 license hereunder unless such person is of good moral character  
 28 and a taxpaying resident of the county, town, city, or village,  
 29 nor shall a permanent legal resident serve as managing officer of

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1 a corporation unless such person is of good moral character and  
2 taxpaying resident of the county, town, city, or village.

3 2. (1) No person, partnership or corporation shall be  
4 qualified for a license under this law if such person, any member  
5 of such partnership, or such corporation, or any officer,  
6 director, or any stockholder owning, legally or beneficially,  
7 directly or indirectly, ten percent or more of the stock of such  
8 corporation, or other financial interest therein, or ten percent  
9 or more of the interest in the business for which the person,  
10 partnership or corporation is licensed, or any person employed in  
11 the business licensed under this law shall have had a license  
12 revoked under this law or shall have been convicted of violating  
13 the provisions of any law applicable to the manufacture or sale  
14 of intoxicating liquor since the ratification of the twenty-first  
15 amendment to the Constitution of the United States, or shall not  
16 be a person of good moral character.

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

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

29 3. A "resident corporation" is defined to be a corporation  
30 incorporated under the laws of this state, all the officers and  
31 directors of which, and all the stockholders, who legally and  
32 beneficially own or control sixty percent or more of the stock in  
33 amount and in voting rights, shall be qualified legal voters and  
34 taxpaying citizens of the county and municipality in which they  
35 reside and who shall have been bona fide residents of the state  
36 for a period of three years continuously immediately prior to the  
37 date of filing of application for a license, provided that a

1 stockholder need not be a voter or a taxpayer, and all the  
2 resident stockholders of which shall own, legally and  
3 beneficially, at least sixty percent of all the financial  
4 interest in the business to be licensed under this law; provided,  
5 that no corporation, licensed under the provisions of this law on  
6 January 1, 1947, nor any corporation succeeding to the business  
7 of a corporation licensed on January 1, 1947, as a result of a  
8 tax-free reorganization coming within the provisions of Section  
9 112, United States Internal Revenue Code, shall be disqualified  
10 by reason of the new requirements herein, except corporations  
11 engaged in the manufacture of alcoholic beverages containing  
12 alcohol in excess of five percent by weight, or owned or  
13 controlled, directly or indirectly, by nonresident persons,  
14 partnerships or corporations engaged in the manufacture of  
15 alcoholic beverages containing alcohol in excess of five percent  
16 by weight.

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

32 5. The supervisor shall by regulation require all  
33 applicants for licenses to file written statements, under oath,  
34 containing the information reasonably required to administer this  
35 section. Statements by applicants for licenses as wholesalers  
36 and retailers shall set out, with other information required,  
37 full information concerning the residence of all persons

1 financially interested in the business to be licensed as required  
2 by regulation. All material changes in the information filed  
3 shall be promptly reported to the supervisor."; and  
4

5 Further amend said title, enacting clause and intersectional  
6 references accordingly.