

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 786, Page 2, Section 311.091, Line 31, by
2 inserting after all of said line the following:

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4 "311.176. 1. Any person possessing the qualifications and meeting the requirements of this
5 chapter who is licensed to sell intoxicating liquor by the drink at retail for consumption on the
6 premises in a city not located within a county, may apply to the supervisor of alcohol and tobacco
7 control for a special permit to remain open on each day of the week until 3:00 a.m. of the morning of
8 the following day. The time of opening on Sunday may be 9:00 a.m. The provisions of this section
9 and not those of section 311.097 regarding the time of closing shall apply to the sale of intoxicating
10 liquor by the drink at retail for consumption on the premises on Sunday. To qualify for such a
11 permit, the premises of such an applicant must be located in an area which has been designated as a
12 convention trade area by the governing body of the city and the applicant must meet at least one of
13 the following conditions:

14 (1) The business establishment's annual gross sales for the year immediately preceding the
15 application for extended hours equals one hundred fifty thousand dollars or more; or

16 (2) The business is a resort. For purposes of this section, a "resort" is defined as any
17 establishment having at least sixty rooms for the overnight accommodation of transient guests and
18 having a restaurant located on the premises; or

19 (3) The business is a charitable, fraternal, religious, service, or veterans' organization which
20 has obtained an exemption from the payment of federal income taxes as provided in section
21 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the United
22 States Internal Revenue Code of 1986, as amended.

23 2. An applicant granted a special permit pursuant to this section shall, in addition to all other
24 fees required by this chapter, pay an additional fee of three hundred dollars a year payable at the time
25 and in the same manner as its other license fees.

26 311.178. 1. Any person possessing the qualifications and meeting the requirements of this
27 chapter who is licensed to sell intoxicating liquor by the drink at retail for consumption on the
28 premises in a county of the first classification having a charter form of government and not
29 containing all or part of a city with a population of over three hundred thousand may apply to the
30 supervisor of alcohol and tobacco control for a special permit to remain open on each day of the
31 week until 3:00 a.m. of the morning of the following day. The time of opening on Sunday may be

Action Taken _____ Date _____

9:00 a.m. The provisions of this section and not those of section 311.097 regarding the time of closing shall apply to the sale of intoxicating liquor by the drink at retail for consumption on the premises on Sunday. The premises of such an applicant shall be located in an area which has been designated as a convention trade area by the governing body of the county and the applicant shall meet at least one of the following conditions:

(1) The business establishment's annual gross sales for the year immediately preceding the application for extended hours equals one hundred fifty thousand dollars or more; or

(2) The business is a resort. For purposes of this subsection, a "resort" is defined as any establishment having at least sixty rooms for the overnight accommodation of transient guests and having a restaurant located on the premises; or

(3) The business is a charitable, fraternal, religious, service, or veterans' organization which has obtained an exemption from the payment of federal income taxes as provided in section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the United States Internal Revenue Code of 1986, as amended.

2. Any person possessing the qualifications and meeting the requirements of this chapter who is licensed to sell intoxicating liquor by the drink at retail for consumption on the premises in a county of the third classification without a township form of government having a population of more than twenty-three thousand five hundred but less than twenty-three thousand six hundred inhabitants, a county of the third classification without a township form of government having a population of more than nineteen thousand three hundred but less than nineteen thousand four hundred inhabitants or a county of the first classification without a charter form of government with a population of at least thirty-seven thousand inhabitants but not more than thirty-seven thousand one hundred inhabitants may apply to the supervisor of alcohol and tobacco control for a special permit to remain open on each day of the week until 3:00 a.m. of the morning of the following day. The time of opening on Sunday may be 9:00 a.m. The provisions of this section and not those of section 311.097 regarding the time of closing shall apply to the sale of intoxicating liquor by the drink at retail for consumption on the premises on Sunday. The applicant shall meet all of the following conditions:

(1) The business establishment's annual gross sales for the year immediately preceding the application for extended hours equals one hundred thousand dollars or more;

(2) The business is a resort. For purposes of this subsection, a "resort" is defined as any establishment having at least seventy-five rooms for the overnight accommodation of transient guests, having at least three thousand square feet of meeting space and having a restaurant located on the premises; and

(3) The applicant shall develop, and if granted a special permit shall implement, a plan ensuring that between the hours of 1:30 a.m. and 3:00 a.m. no sale of intoxicating liquor shall be made except to guests with overnight accommodations at the licensee's resort. The plan shall be subject to approval by the supervisor of alcohol and tobacco control and shall provide a practical method for the division of alcohol and tobacco control and other law enforcement agencies to enforce the provisions of subsection 3 of this section.

3. While open between the hours of 1:30 a.m. and 3:00 a.m. under a special permit issued

1 pursuant to subsection 2 of this section, it shall be unlawful for a licensee or any employee of a
2 licensee to sell intoxicating liquor to or permit the consumption of intoxicating liquor by any person
3 except a guest with overnight accommodations at the licensee's resort.

4 4. An applicant granted a special permit pursuant to this section shall, in addition to all other
5 fees required by this chapter, pay an additional fee of three hundred dollars a year payable at the time
6 and in the same manner as its other license fees.

7 5. The provisions of this section allowing for extended hours of business shall not apply in
8 any incorporated area wholly located in any county of the first classification having a charter form of
9 government which does not contain all or part of a city with a population of over three hundred
10 thousand inhabitants until the governing body of such incorporated area shall have by ordinance or
11 order adopted the extended hours authorized by this section."; and

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