

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 735, Page 1, Section A, Line 5, by  
2 inserting after all of said section and line the following:

3  
4 "311.310. 1. This section shall be known and may be cited as "Austin's Law".

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

17 [2.] 3. Any owner, occupant, or other person or legal entity with a lawful right to the  
18 exclusive use and enjoyment of any property who knowingly allows a person under the age of  
19 twenty-one to drink or possess intoxicating liquor or knowingly fails to stop a person under the age  
20 of twenty-one from drinking or possessing intoxicating liquor on such property, unless such person  
21 allowing the person under the age of twenty-one to drink or possess intoxicating liquor is his or her  
22 parent or guardian, is guilty of a class [B misdemeanor] D felony for an offense committed before  
23 January 1, 2017, and is guilty of a class E felony for an offense committed on or after January 1,  
24 2017. Any second or subsequent violation of this subsection is a class [A misdemeanor] C felony  
25 for an offense committed before January 1, 2017. Any subsequent violation committed on or after  
26 January 1, 2017, is a class D felony.

27 [3.] 4. The penalty for a violation of subsection 2 of this section is a class B felony if the  
28 person under the age of twenty-one causes death or physical injury to another person while  
29 intoxicated as a result of consuming such alcohol; except that the provisions of this subsection shall  
30 not apply to any licensee under this chapter or his or her employee.

31 5. It shall be a defense to prosecution under this section if:

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

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

36 (3) To purchase the intoxicating liquor, the person exhibited to the defendant a driver's

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1 license, Missouri nondriver's identification card, or other official or apparently official document,  
2 containing a photograph of the minor and purporting to establish that such minor was twenty-one  
3 years of age and of the legal age for consumption of intoxicating liquor.

4 577.180. 1. A person commits the offense of illegal possession of powdered alcohol if he or  
5 she purchases, possesses, offers for sale or use, uses, or sells powdered alcohol or ships any package  
6 or container that contains powdered alcohol into this state.

7 2. Any person who violates the provisions of this section shall be guilty of a class C  
8 misdemeanor.

9 3. For the purposes of this section, "powdered alcohol" shall mean alcohol that is prepared  
10 in a powdered, crystalline, or capsule form either for direct use or for reconstitution in a  
11 nonalcoholic liquid.

12 4. The provisions of this section shall not apply to the following:

13 (1) Any hospital that operates primarily for the purpose of scientific research;

14 (2) Any state institution conducting scientific research;

15 (3) Any college or university conducting scientific research; or

16 (4) Any pharmaceutical company or biotechnology company conducting research."; and  
17

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