

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

Offered By

1 AMEND House Committee Substitute for House Bill No. 29, Page 3, Section 311.188, Line 3, by inserting  
2 after all of said line and section the following:

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4 "311.355. 1. Manufacturers of intoxicating liquor [~~other than beer or wine~~] shall be permitted to  
5 offer consumer cash rebate coupons as provided in this subsection:

6 (1) Consumer cash rebate coupons may be published or advertised by manufacturers in newspapers,  
7 magazines and other mass media;

8 (2) Coupon advertisements may list the amount of the cash rebate, but not the retail price of the  
9 intoxicating liquor after the rebate;

10 (3) Applications for cash rebates must be made directly from the consumer to the manufacturer, and  
11 not through retailers or wholesalers;

12 (4) Cash rebates must be made directly to consumers by manufacturers;

13 (5) Wholesalers and manufacturers may deliver cash rebate coupons to retailers, either for  
14 distribution at the point of sale or in connection with packaging.

15 2. Manufacturers of intoxicating liquor including beer and wine may offer coupons redeemable for  
16 nonalcoholic merchandise, except that such redeemable coupons must be made available without a purchase  
17 requirement to consumers at the point of sale, or by request through the mail, or at the retailer's cash register.  
18 Redeemable coupons may be published or advertised by manufacturers in newspapers, magazines and other  
19 mass media. Advertisements must state that no purchase is required to obtain the nonalcoholic merchandise  
20 and provide information on the procedure to obtain such merchandise. The retail value of the nonalcoholic  
21 merchandise shall not be stated in the advertisement or on the product. Wholesalers and manufacturers may  
22 deliver these redeemable coupons at the point of sale or in connection with packaging.

23 3. A wholesaler shall not directly or indirectly fund the cost of any cash rebate coupon program  
24 allowed under this section.

25 4. Notwithstanding any other provision of law to the contrary, except for the provisions of 11 CSR  
26 70-2.240(5)(I), retailers of intoxicating liquor:

27 (1) May offer any coupon, premium, prize, rebate, loyalty program, or discount of any type to  
28 consumers as an inducement to purchase nonalcoholic merchandise or intoxicating liquor;

29 (2) Who offer a loyalty program for nonalcoholic merchandise or intoxicating liquor purchases shall  
30 include all nonalcoholic merchandise or intoxicating liquors in the loyalty program and the rewards shall be  
31 applied at the same rate for all nonalcoholic merchandise or intoxicating liquor purchases; and

32 (3) May purchase, publish, or display advertisements of intoxicating liquors that list the amount of  
33 the rebate or discount and the retail price after the rebate or discount."; and  
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35 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_