

SECOND REGULAR SESSION

HOUSE BILL NO. 2245

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BAILEY.

4899H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 311.280, RSMo, and to enact in lieu thereof one new section relating to licensed liquor retailers, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 311.280, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 311.280, to read as follows:

311.280. 1. It shall be unlawful for any person in this state holding a retail liquor license to purchase any intoxicating liquor except from, by or through a duly licensed wholesale liquor dealer in this state. It shall be unlawful for such retail liquor dealer to sell or offer for sale any intoxicating liquor purchased in violation of the provisions of this section. Any person violating any provision of this section shall be deemed guilty of a misdemeanor.

2. Any retailer licensed pursuant to this chapter shall not:

(1) Sell intoxicating liquor with an alcohol content of less than five percent by weight to the consumer in an original carton received from the wholesaler that has been mutilated, torn apart, or cut apart; or

(2) Repackage intoxicating liquor with an alcohol content of less than five percent by weight in a manner misleading to the consumer or that results in required labeling being omitted or obscured.

3. Notwithstanding the provisions of subsection 1 of this section to the contrary, a retailer licensed to sell intoxicating liquor for off-premises consumption that originally purchases such intoxicating liquor from a duly licensed wholesale liquor dealer may sell such intoxicating liquor to a retailer licensed to sell intoxicating liquor for on-premises consumption without penalty. The provisions of this subsection shall not include the sale of beer or malt liquor.

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.