

FIRST REGULAR SESSION

HOUSE BILL NO. 816

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHWADRON.

1647H.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 the sale of intoxicating liquor, 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Section A. Section 311.280, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 311.280, to read as follows: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; **or**

(3) **Require any seal that has been affixed to a bottle or package of intoxicating liquor to be broken or torn before a consumer who purchases the intoxicating liquor is permitted to carry out the intoxicating liquor from the premises of the retailer.**

✓

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.