

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

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 834, Page 12, Section 217.947, Line 9, by inserting after said section and line the  
3 following:  
4

5 "311.280. 1. It shall be unlawful for any person in this state holding a retail liquor license to  
6 purchase any intoxicating liquor except from, by or through a duly licensed wholesale liquor dealer  
7 in this state. It shall be unlawful for such retail liquor dealer to sell or offer for sale any intoxicating  
8 liquor purchased in violation of the provisions of this section. Any person violating any provision  
9 of this section shall be deemed guilty of a misdemeanor.

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

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

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

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

20 311.300. 1. Except as provided in this section, no person under the age of twenty-one years  
21 shall sell or assist in the sale or dispensing of intoxicating liquor.

22 2. In any place of business licensed in accordance with section 311.200, persons at least  
23 eighteen years of age may stock, arrange displays, operate the cash register or scanner connected to  
24 a cash register and accept payment for, and sack for carryout, intoxicating liquor. Persons at least  
25 eighteen years of age may carry out intoxicating liquor to a purchaser's vehicle in a parking lot  
26 adjacent to the licensed premises, so long as the sale was made inside the licensed business premises  
27 in compliance with this chapter to ensure the purchaser is at least the age of twenty-one years or  
28 older. Delivery of intoxicating liquor away from the licensed business premises cannot be  
29 performed by anyone under the age of twenty-one years. Any licensee who employs any person  
30 under the age of twenty-one years, as authorized by this subsection, shall, when at least fifty percent

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1 of the licensee's gross sales does not consist of nonalcoholic sales, have an employee twenty-one  
2 years of age or older on the licensed premises during all hours of operation.

3 3. In any distillery, warehouse, wholesale distributorship, or similar place of business which  
4 stores or distributes intoxicating liquor but which does not sell intoxicating liquor at retail, persons  
5 at least eighteen years of age may be employed and their duties may include the handling of  
6 intoxicating liquor for all purposes except consumption, sale at retail, or dispensing for consumption  
7 or sale at retail.

8 4. Any wholesaler licensed pursuant to this chapter may employ persons of at least eighteen  
9 years of age to:

10 (1) Rotate, stock and arrange displays at retail establishments licensed to sell intoxicating  
11 liquor; and

12 (2) Unload delivery vehicles and transfer intoxicating liquor into retail licensed premises if  
13 such persons are supervised by a delivery vehicle driver who is twenty-one years of age or older.

14 5. Persons eighteen years of age or older may, when acting in the capacity of a waiter or  
15 waitress, accept payment for or serve intoxicating liquor in places of business which sell food for  
16 consumption on the premises if at least fifty percent of all sales in those places consists of food;  
17 provided that nothing in this section shall authorize persons under twenty-one years of age to mix or  
18 serve across the bar intoxicating beverages.

19 311.332. 1. It shall be unlawful for any wholesaler licensed to sell intoxicating liquor and  
20 wine containing alcohol in excess of five percent by weight to persons duly licensed to sell such  
21 intoxicating liquor and wine at retail, to discriminate between retailers or in favor of or against any  
22 retailer or group of retailers, directly or indirectly, in price, in discounts for time of payment, or in  
23 discounts on quantity of merchandise sold, or to grant directly or indirectly any discount, rebate,  
24 free goods, allowance or other inducement, excepting a discount not in excess of one percent for  
25 quantity of liquor and wine, and a discount not in excess of one percent for payment on or before a  
26 certain date. The delivery of manufacturer rebate coupons by wholesalers to retailers shall not be a  
27 violation of this subsection.

28 2. Manufacturers or wholesalers shall be permitted to donate or deliver or cause to be  
29 delivered beer, wine, distilled spirits, or brandy for nonresale purposes to any unlicensed person or  
30 any licensed retail dealer who is a charitable or religious organization as defined in section 313.005  
31 or educational institution, at any location or licensed premises, provided, such beer, wine, distilled  
32 spirits, or brandy is unrelated to the organization's or institution's licensed retail operation. A charge  
33 for admission to an event or activity at which beer, wine, distilled spirits, or brandy is available  
34 without separate charge shall not constitute resale for the purposes of this subsection. Wine used in  
35 religious ceremonies may be sold by wholesalers to a religious organization as defined in section  
36 313.005. Any manufacturer or wholesaler providing nonresale items shall keep a record of any  
37 deliveries made pursuant to this subsection.

38 3. Manufacturers, wholesalers, retailers and unlicensed persons may donate beer, wine,  
39 distilled spirits, or brandy in the original package to a charitable or religious organization as defined

1 in section 313.005 or educational institution for the sole purpose of being auctioned by the  
2 organization or institution for fund-raising purposes, provided the ~~[auction takes place on a retail-~~  
3 ~~licensed premises and all]~~ proceeds from the sale go into a fund of an organization or institution that  
4 is unrelated to any licensed retail operation."; and

5  
6 Further amend said bill by amending the title, enacting clause, and intersectional references  
7 accordingly.