

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

Offered By

1 AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 735, Page 13,  
2 Section 143.121, Line 369, by inserting after all of said section and line the following:

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4 "311.310. 1. Any licensee under this chapter, or his employee, who shall sell, vend, give  
5 away or otherwise supply any intoxicating liquor in any quantity whatsoever to any person under the  
6 age of twenty-one years, or to any person intoxicated or appearing to be in a state of intoxication, or  
7 to a habitual drunkard, and any person whomsoever except his parent or guardian who shall procure  
8 for, sell, give away or otherwise supply intoxicating liquor to any person under the age of twenty-  
9 one years, or to any intoxicated person or any person appearing to be in a state of intoxication, or to  
10 a habitual drunkard, shall be deemed guilty of a misdemeanor, except that this section shall not  
11 apply to the supplying of intoxicating liquor to a person under the age of twenty-one years for  
12 medical purposes only, or to the administering of such intoxicating liquor to any person by a duly  
13 licensed physician. No person shall be denied a license or renewal of a license issued under this  
14 chapter solely due to a conviction for unlawful sale or supply to a minor when serving in the  
15 capacity as an employee of a licensed establishment.

16 2. Any owner, occupant, or other person or legal entity with a lawful right to the exclusive  
17 use and enjoyment of any property who knowingly allows a person under the age of twenty-one to  
18 drink or possess intoxicating liquor or knowingly fails to stop a person under the age of twenty-one  
19 from drinking or possessing intoxicating liquor on such property, unless such person allowing the  
20 person under the age of twenty-one to drink or possess intoxicating liquor is his or her parent or  
21 guardian, is guilty of a class B misdemeanor. Any second or subsequent violation of this subsection  
22 is a class A misdemeanor.

23 3. It shall be a defense to prosecution under this section if:

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

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

28 (3) To purchase the intoxicating liquor, the person exhibited to the defendant a driver's  
29 license, Missouri nondriver's identification card, secure identity verification that used a valid  
30 government-issued identification card verified through a secure identity verification provider, or

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

4 311.328. 1. A valid and unexpired operator's or chauffeur's license issued under the  
5 provisions of section 302.177, or a valid and unexpired operator's or chauffeur's license issued under  
6 the laws of any state or territory of the United States to residents of those states or territories, or a  
7 valid and unexpired identification card or nondriver's license as provided for under section 302.181,  
8 or a valid and unexpired nondriver's license issued under the laws of any state or territory of the  
9 United States to residents of those states or territories, or a valid and unexpired identification card  
10 issued by any uniformed service of the United States, or a valid and unexpired passport shall be  
11 presented by the holder thereof upon request of any agent of the division of alcohol and tobacco  
12 control or any licensee or the servant, agent or employee thereof for the purpose of aiding the  
13 licensee or the servant, agent or employee to determine whether or not the person is at least twenty-  
14 one years of age when such person desires to purchase or consume alcoholic beverages procured  
15 from a licensee. Upon such presentation the licensee or the servant, agent or employee thereof shall  
16 compare the photograph and physical characteristics noted on the license, identification card or  
17 passport with the physical characteristics of the person presenting the license, identification card or  
18 passport.

19 2. A secure identity verification system that uses an electronic scan of a unique physical  
20 characteristic identifiable to the individual may be used by a licensee for the purpose of aiding the  
21 licensee or the servant, agent, or employee to determine whether the person is twenty-one years of  
22 age or older when such person desires to purchase or consume alcoholic beverages procured from a  
23 licensee if the system demonstrates that:

24 (1) The person's age is twenty-one years of age or older; and

25 (2) The person had previously registered with the secure identity verification provider an  
26 acceptable form of identification as set forth in subsection 1 of this section.

27 3. No retailer of alcoholic beverages shall be required to use any secure identity verification  
28 system.

29 4. All retailers of alcoholic beverages using a secure identity verification system shall accept  
30 valid government-issued identification as set forth under subsection 1 of this section for age  
31 verification purposes.

32 5. The information obtained and stored by any secure identity verification system shall not  
33 be sold for any purpose without consent. An individual may request to opt out or revoke consent for  
34 the continued storage of his or her secure identity verification profile maintained by the secure  
35 identity verification provider and request deletion from the provider's database in such cases. The  
36 data shall be deleted subject to any legal requirements to maintain such data.

37 6. Upon proof by the licensee of full compliance with the provisions of this section, no  
38 penalty shall be imposed if the supervisor of the division of alcohol and tobacco control or the  
39 courts are satisfied that the licensee acted in good faith. A licensee asserting a good-faith defense

1 using a secure identity verification system shall be responsible for obtaining and providing to the  
2 division all records necessary to establish that a secure identity verification device was used as age  
3 verification for the transaction in question.

4 [3-] 7. Any person who shall, without authorization from the department of revenue,  
5 reproduce, alter, modify, or misrepresent any chauffeur's license, motor vehicle operator's license or  
6 identification card shall be deemed guilty of a misdemeanor and upon conviction shall be subject to  
7 a fine of not more than one thousand dollars, and confinement for not more than one year, or by both  
8 such fine and imprisonment.

9 407.225. Any business that offers consumers the option to make payments through a secure  
10 identity verification system that uses a scan of a unique physical characteristic identifiable to the  
11 individual shall also accept at least one of the following alternative payment methods:

12 (1) Cash in United States currency;

13 (2) Check or money order;

14 (3) Valid debit card or credit card; or

15 (4) Electronic payment services."; and

16  
17 Further amend said bill by amending the title, enacting clause, and intersectional references  
18 accordingly.