

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1041

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DIEHL.

2115H.01P

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 311.332, 311.355, and 311.520, RSMo, and to enact in lieu thereof four new sections relating to alcoholic beverages.

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

Section A. Sections 311.332, 311.355, and 311.520, RSMo, are repealed and four new
2 sections enacted in lieu thereof, to be known as sections 311.332, 311.355, 311.520, and
3 311.2026, to read as follows:

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

10 2. Manufacturers or wholesalers shall be permitted to donate or deliver or cause to be
11 delivered beer, wine, or brandy for nonresale purposes to any unlicensed person or any
12 licensed retail dealer who is a charitable or religious organization as defined in section
13 313.005 or educational institution, at any location or licensed premises, provided, such beer,
14 wine, or brandy is unrelated to the organization's or institution's licensed retail operation. A
15 charge for admission to an event or activity at which beer, wine, or brandy is available

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.

16 without separate charge shall not constitute resale for the purposes of this subsection. Wine
17 used in religious ceremonies may be sold by wholesalers to a religious organization as
18 defined in section 313.005. Any manufacturer or wholesaler providing nonresale items shall
19 keep a record of any deliveries made pursuant to this subsection.

20 3. Manufacturers, wholesalers, retailers and unlicensed persons may donate wine,
21 **beer, malt liquor, or spirits**, in the original package to a charitable or religious organization
22 as defined in section 313.005 or educational institution for the sole purpose of being
23 auctioned **or raffled** by the organization or institution for fund-raising purposes, provided the
24 auction **or raffle** takes place on a retail-licensed premises and all proceeds from the sale go
25 into a fund of an organization or institution that is unrelated to any licensed retail operation.

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

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

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

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

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

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

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

311.520. 1. As used in this section, the following terms shall mean:

2 (1) "American brewery", the land and buildings located in the United States of
3 America where malt liquors are produced and packaged;

4 (2) "Foreign import malt liquor", malt liquor manufactured and imported from
5 outside the United States of America.

6 **2. For all tax years beginning on or before December 31, 2025,** as a charge for the
7 inspection and gauging of all malt liquors, the director of revenue shall collect the sum of one
8 dollar and eighty-six cents per barrel.

9 **3. For all tax years beginning on or after January 1, 2026, as a charge for the**
10 **inspection and gauging of malt liquors, the director of revenue shall collect the sum of**
11 **sixty-two cents per barrel for all malt liquors manufactured in an American brewery**
12 **and the sum of one dollar and eighty-six cents per barrel for all foreign import malt**
13 **liquor.**

14 **4. Every manufacturer, out-of-state solicitor, and wholesale dealer licensed**
15 **under this chapter shall make a true duplicate invoice of the same, showing the date,**
16 **amount and value of each class of such liquors shipped or delivered, and the country of**
17 **origin for all foreign import malt liquors and shall retain a duplicate thereof, subject to**
18 **the use and inspection of the director of revenue and supervisor of alcohol and tobacco**
19 **control and their representatives for two years.**

20 **5. The director of revenue and the supervisor of alcohol and tobacco control may**
21 **promulgate all necessary rules and regulations for the administration of this section.**
22 **Any rule or portion of a rule, as that term is defined in section 536.010, that is created**
23 **under the authority delegated in this section shall become effective only if it complies**
24 **with and is subject to all of the provisions of chapter 536 and, if applicable, section**
25 **536.028. This section and chapter 536 are nonseverable and if any of the powers vested**
26 **with the general assembly pursuant to chapter 536 to review, to delay the effective date,**
27 **or to disapprove and annul a rule are subsequently held unconstitutional, then the grant**
28 **of rulemaking authority and any rule proposed or adopted after August 28, 2025, shall**
29 **be invalid and void.**

311.2026. 1. For the purposes of this section, the term "FIFA World Cup
2 **Tournament" means the international soccer tournament that takes place every four**
3 **years and is organized by the Federation Internationale de Football Association.**

4 **2. Notwithstanding any other provisions of this chapter to the contrary, any**
5 **person or establishment possessing the qualifications and meeting the requirements of**
6 **this chapter that is licensed to sell intoxicating liquor by the drink at retail for**
7 **consumption on the premises in any city, county, district, or other political subdivision**
8 **in this state may, for the duration of the 2026 FIFA World Cup Tournament, beginning**
9 **on June 11, 2026, through July 19, 2026, operate twenty-four hours a day and sell, serve,**
10 **and allow for the consumption of alcoholic beverages between the hours of 6:00 a.m. and**
11 **5:00 a.m. of the following day. This temporary extension of service hours shall apply to**
12 **all licensed areas at a licensed establishment. The provisions of this chapter relating to**
13 **hours of operation, time of closing or opening, or hours of sale of intoxicating liquor by**

14 the drink at retail for consumption on the premises shall not apply to such licensees for
15 the duration of this temporary extension, except as provided under this section.

16 3. Licensees are not required to apply to the commission for approval and no
17 special temporary license or permit shall be required of any licensee for the purposes of
18 this temporary extension, subject to any local restrictions on hours of operation as
19 provided under subsection 4 of this section or additional conditions for compliance
20 under any applicable local laws, ordinances, rules, or regulations.

21 4. If any city, county, district, or other political subdivision in this state objects to
22 the extension of hours for licensees within its jurisdiction, the governing body of such
23 political subdivision may exempt itself by ordinance from the provisions of this section
24 or may modify by ordinance the hours applicable to such political subdivision for the
25 temporary period allowed by this section to be not less than the ordinary permissible
26 hours of service applicable to such political subdivision but not to exceed the hours
27 allowed under this section.

28 5. This section shall expire on July 20, 2026.

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