

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE FOR
HOUSE BILL NO. 1041
103RD GENERAL ASSEMBLY

2115S.02T

2025

AN ACT

To repeal sections 311.332, 311.355, 311.520, 311.550, and 311.554, RSMo, and to enact in lieu thereof six new sections relating to alcoholic beverages, with penalty provisions and an effective date for certain sections.

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

Section A. Sections 311.332, 311.355, 311.520, 311.550, and 311.554, RSMo, are
2 repealed and six new sections enacted in lieu thereof, to be known as sections 311.332,
3 311.355, 311.520, 311.550, 311.554, and 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.**

311.550. 1. In addition to all other licenses and charges, there shall be paid to and
2 collected by the director of revenue charges as follows:

3 (1) For the privilege of selling in the state of Missouri spirituous liquors, including
4 brandy, rum, whiskey, and gin, and other spirituous liquors and alcohol for beverage
5 purposes, there shall be paid, and the director of revenue shall be entitled to receive, the sum
6 of two dollars per gallon or fraction thereof;

7 (2) For the privilege of selling wines, the sum of ~~[thirty]~~ **twenty-one** cents per gallon
8 to the credit of the agriculture protection fund created under section 261.200 to be used solely
9 for agricultural business development and marketing-related functions of the department of
10 agriculture.

11 2. The person who shall first sell such liquor to any person in this state shall be liable
12 for the payment, except that no refund of any tax collected and remitted to the director of
13 revenue by a retail seller upon gross receipts from a sale of beer, liquor or wine subject to the

14 charges contained in sections 311.520, 311.550 and 311.554 shall be claimed for refund under
15 chapter 144 for any amount illegally or erroneously overcharged or overcollected as a result
16 of imposition of sales tax by the retail seller upon amounts representing the charges imposed
17 under this chapter.

18 3. Any person who sells to any person within this state any intoxicating liquors
19 mentioned in subdivision (1) of subsection 1, unless the charge hereby imposed is paid, is
20 guilty of a felony and shall be punished by imprisonment by the state department of
21 corrections for a term of not less than two years nor more than five years, or by imprisonment
22 in the county jail for a term of not less than one month nor more than one year, or by a fine of
23 not less than fifty dollars nor more than one thousand dollars, or by both such fine and
24 imprisonment.

25 4. It shall be unlawful for any person to remove the contents of any container
26 containing any of the intoxicating liquors mentioned in subdivision (1) of subsection 1
27 without destroying such container, or to refill any such container, in whole or in part, with any
28 of the liquors mentioned in subdivision (1) of subsection 1. Any person violating the
29 provisions of this subsection shall be guilty of a misdemeanor.

30 5. Every manufacturer, out-state solicitor and wholesale dealer licensed under this
31 chapter shall make a true duplicate invoice of the same, showing the date, amount and value
32 of each class of such liquors shipped or delivered, and retain a duplicate thereof, subject to the
33 use and inspection of the supervisor of ~~[liquor]~~ **alcohol and tobacco** control and his
34 representatives for two years.

35 6. Any person who shall sell in this state any intoxicating liquor without first having
36 procured a license from the supervisor of ~~[liquor]~~ **alcohol and tobacco** control authorizing
37 him to sell such intoxicating liquor is guilty of a felony and upon conviction shall be punished
38 by imprisonment by the state department of corrections for a term of not less than two years
39 nor more than five years, or by imprisonment in the county jail for a term of not less than
40 three months nor more than one year, or by a fine of not less than one hundred dollars nor
41 more than one thousand dollars, or by both such fine and imprisonment.

311.554. 1. In addition to the charges imposed by section 311.550, there shall be paid
2 to and collected by the director of revenue for the privilege of selling wine, an additional
3 charge of ~~[six]~~ **ten and one-half** cents per gallon or fraction thereof. The additional charge
4 shall be paid and collected in the same manner and at the same time that the charges imposed
5 by section 311.550 are paid and collected.

6 2. Until June 30, 2006, the revenue derived from the additional charge imposed by
7 subsection 1 shall be deposited by the state treasurer to the credit of a separate account in the
8 marketing development fund created by section 261.035. Beginning July 1, 2006, the revenue
9 derived from such additional charge shall be deposited by the state treasurer in the Missouri

10 wine and grape fund created by this section. Moneys to the credit of both the marketing
11 development fund and the Missouri wine and grape fund shall be used only for market
12 development in developing programs for growing, selling, and marketing of grapes and grape
13 products grown in Missouri, including all necessary funding for the employment of experts in
14 the fields of viticulture and enology as deemed necessary, and programs aimed at improving
15 marketing of all varieties of grapes grown in Missouri; and shall be appropriated and used for
16 no other purpose.

17 3. There is hereby created in the state treasury the "Missouri Wine and Grape Fund",
18 which shall consist of money collected under this section. The state treasurer shall be
19 custodian of the fund and shall approve disbursements from the fund to the department of
20 agriculture for use solely by the Missouri wine and grape board created under section 262.820
21 in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall
22 be used solely for the administration of this section. Notwithstanding the provisions of
23 section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium
24 shall not revert to the credit of the general revenue fund. The state treasurer shall invest
25 moneys in the fund in the same manner as other funds are invested. Any interest and moneys
26 earned on such investments shall be credited to the fund.

27 4. In addition to the charges imposed by subsection 1 of this section and section
28 311.550, there shall be paid to and collected by the director of revenue for the privilege of
29 selling wine an additional charge of ~~[six]~~ **ten and one-half** cents per gallon or fraction
30 thereof. Until June 30, 2006, this additional ~~[six]~~ **ten and one-half** cents per gallon shall be
31 deposited by the state treasurer to the credit of a separate account in the marketing
32 development fund created by section 261.035. Beginning July 1, 2006, the revenue derived
33 from such additional charge shall be deposited by the state treasurer in the Missouri wine and
34 grape fund created in this section.

**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.**

Section B. The repeal and reenactment of sections 311.550 and 311.554 of this act
2 shall become effective on July 1, 2026.

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