

FIRST REGULAR SESSION

HOUSE BILL NO. 1340

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MYERS.

2807H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 311.332, RSMo, and to enact in lieu thereof one new section relating to donation of alcoholic beverages to certain organizations for nonresale purposes.

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

Section A. Section 311.332, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 311.332, to read as follows:

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

2. Manufacturers or wholesalers shall be permitted to donate or deliver or cause to be delivered beer, wine, or brandy for nonresale purposes to any unlicensed person or any licensed retail dealer who is a charitable or religious organization as defined in section 313.005 or educational institution, at any location or licensed premises, provided, such beer, wine, or brandy is unrelated to the organization's or institution's licensed retail operation. A charge for admission to an event or activity at which beer, wine, or brandy is available without separate charge shall not constitute resale for the purposes of this subsection. Wine used in religious ceremonies may be sold by wholesalers to a religious organization as

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.

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.

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