

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 735, Page 1, Section A, Line 5, by
2 inserting after all of said section and line the following:

3
4 "311.310. 1. This section shall be known and may be cited as "Austin's Law".

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

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

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

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

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

29 (3) To purchase the intoxicating liquor, the person exhibited to the defendant a driver's
30 license, Missouri nondriver's identification card, or other official or apparently official document,
31 containing a photograph of the minor and purporting to establish that such minor was twenty-one
32 years of age and of the legal age for consumption of intoxicating liquor."; and
33

34 Further amend said bill by amending the title, enacting clause, and intersectional references
35 accordingly.
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Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____