

SECOND REGULAR SESSION

HOUSE BILL NO. 1730

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BARNITZ, CUNNINGHAM, BRITT, HOSMER, PORTWOOD,
CRAWFORD, HOLT, KELLY (36) (Co-sponsors), JETTON, DAVIS, DAUS, COPENHAVER, MYERS,
LEGAN AND ABEL.

Read 1st time January 30, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4113L.01I

AN ACT

To repeal section 311.310, RSMo, and to enact in lieu thereof one new section relating to providing intoxicating liquor to a minor, with penalty provisions.

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

Section A. Section 311.310, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 311.310, to read as follows:

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

2. It shall be unlawful for any person to procure for, sell, give away or otherwise supply intoxicating liquor to any person under the age of twenty-one years.

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 **3. The provisions of subsections 1 and 2 of this section shall not apply to the**
17 **supplying of intoxicating liquor to a person under the age of twenty-one years for medical**
18 **purposes only, or to the administering of such intoxicating liquor to any person by a duly**
19 **licensed physician.**

20 **4. The provisions of subsections 1 and 2 of this section shall not apply to the**
21 **supplying of intoxicating liquor to a person under the age of twenty-one years if the liquor**
22 **was supplied for use as part of a religious ceremony or as part of the practice of religious**
23 **beliefs.**

24 **5. Any person who violates the provisions of subsection 1 of this section shall be**
25 **guilty of a class A misdemeanor. Any person who violates the provisions of subsection 2**
26 **of this section shall be guilty of a class A misdemeanor unless, as a direct result of the**
27 **consumption of such intoxicating liquor by the minor to whom it was supplied, or the**
28 **consumption of such intoxicating liquor by any minor who subsequently obtains it, any**
29 **person suffers serious physical injury or death, in which case such person shall be guilty**
30 **of a class D felony.**