

FIRST REGULAR SESSION

HOUSE BILL NO. 250

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SKAGGS.

Read 1st time January 18, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1037L.011

AN ACT

To amend chapter 311, RSMo, by adding thereto one new section relating to alcohol beverage vaporizers.

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

Section A. Chapter 311, RSMo, is amended by adding thereto one new section, to be
2 known as section 311.331, to read as follows:

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

2 **(1) "Alcohol beverage vaporizer", any device which, by means of heat, a vibrating**
3 **element, or any method, is capable of producing a breathable mixture containing one or**
4 **more alcoholic beverages to be dispensed for inhalation into the lungs via the nose or**
5 **mouth or both;**

6 **(2) "Customer", any person not an employee who enters or remains upon a licensed**
7 **premises with actual or implied permission of the licensee or a person who purchases or**
8 **otherwise partakes of any merchandise, goods, entertainment, or other services offered**
9 **upon the premises;**

10 **(3) "Employee", includes an agent or servant, and shall be construed to mean every**
11 **person working for or performing services on behalf of the licensee during actual or**
12 **scheduled work hours;**

13 **(4) "Licensee", the holder of any licenses issued under the provisions of this**
14 **chapter;**

15 **(5) "Premises", the bounds of the enclosure where alcoholic beverages are**
16 **permitted to be sold, stored, or consumed under the authority of this chapter.**

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.

17 **2. No licensee or employee shall sell, deliver, or give away any alcoholic beverage**
18 **for dispensation by means of an alcoholic beverage vaporizer. No licensee or employee**
19 **shall purchase, possess, or use an alcoholic beverage vaporizer on the licensed premises,**
20 **or any area related to the licensed business over which the licensee exercises control or for**
21 **which the licensee is responsible. No licensee or employee shall allow or permit any**
22 **customer or person to bring, keep, maintain, or use an alcoholic beverage vaporizer on the**
23 **licensed premises, or any area related to the licensed business over which the licensee**
24 **exercises control or for which the licensee is responsible.**