

HCS SCS SB 262 -- WINE AND LIQUOR SALES

This bill changes the laws regarding wine and liquor sales. In its main provisions, the bill:

(1) Extends the hours of business for premises operated by wine manufacturers who sell liquor by the drink from between the hours of 6:00 a.m. and midnight to 6:00 a.m. and 1:30 a.m. on Monday through Saturday and from 11:00 a.m. and 9:00 p.m. to 9:00 a.m. and midnight on Sunday. The amount of Missouri-produced wine which must be sold by persons obtaining certain liquor licenses is reduced from 100% to 75%;

(2) Allows the issuance of a license for liquor sales within 100 feet of any school or church if the applicant obtains the written consent of the municipal governing body upon providing 10 days' written notice to all property owners within 100 feet of the applicant's premises. Currently, licenses cannot be granted for liquor sales within 100 feet of any school or church. The bill creates an exception for this provision for church, school, civic, service, fraternal, veteran, political, or charitable clubs or organizations observing Fourth of July celebrations or which are exempt from federal taxes. Premises holding licenses issued prior to January 1, 2004, are also exempt from the 100-foot prohibition;

(3) Clarifies the provision for the usage of tags under the keg registration law enacted in 2003 and establishes a \$50 minimum keg deposit;

(4) Allows places of entertainment in St. Charles County to sell liquor by the drink on Sundays if the establishment has gross annual sales in excess of \$150,000, has been in operation for at least one year, and pays a fee of \$200 per year in addition to the licensing fees;

(5) Clarifies that an admission charge to an event at which alcohol is available at no extra cost does not constitute resale;

(6) Increases the amount of time from 120 to 168 consecutive hours that will be allowed for a temporary catering permit;

(7) Changes some references of the Division of Liquor Control to correctly reference the Division of Alcohol and Tobacco Control;

(8) Allows a person or entity to donate wine in the original package to charitable or religious organizations or educational institutions for fund-raising purposes;

(9) Allows a person to take home an open bottle of wine from a restaurant or winery. The wine must have been purchased with a meal or at the winery; the person must retain the receipt for the

wine; and the wine must be resealed before leaving the restaurant or winery. The person will be exempt from any open container violation as long as the new seal on the wine bottle remains intact;

(10) Allows municipalities to sell vintage wine at an auction on consignment through auctioneers or by licensed, designated municipal employees through a sealed bid process; and

(11) Authorizes the issuance of an entertainment district special license to sell liquor by the drink from portable bars within the common areas of the entertainment district in historic downtown Kansas City and allows a person to carry drinks from one establishment to another within the district.