

FIRST REGULAR SESSION

HOUSE BILL NO. 44

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SMITH (14).

Pre-filed December 1, 2006 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0423L.02I

AN ACT

To repeal section 311.294, RSMo, and to enact in lieu thereof two new sections relating to the tasting of liquor.

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

Section A. Section 311.294, RSMo, is repealed and two new sections are enacted in lieu thereof, to be known as sections 311.294 and 311.297, to read as follows:

311.294. 1. Notwithstanding any other provisions of this chapter to the contrary, any person possessing the qualifications and meeting the requirements of this chapter, who is licensed to sell intoxicating liquor in the original package at retail under sections 311.200 and 311.293, may apply to the supervisor of liquor control for a special permit to conduct wine, malt beverage and distilled spirit tastings on the licensed premises. A licensee under this section shall pay to the director of revenue an additional twenty-five dollars a year payable at the same time and manner as other license fees.

2. Nothing in this section shall be construed to permit the licensee to sell wine, malt beverages or distilled spirits for on-premises consumption; **except that, a licensee under this section may charge a set sampling fee in which an individual person participating in the sampling may be served multiple samples up to the equivalents of twenty-four ounces of beer, ten ounces of wine, or five ounces of distilled spirits.**

311.297. 1. Notwithstanding any other provisions of this chapter to the contrary, any winery, distiller, manufacturer, wholesaler, or brewer or designated employee may provide, furnish, or pour distilled spirits, wine, or malt beverage samples on a retail

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.

4 licensed premises for customer tasting purposes. The retail licensed premises where such
5 product tasting is provided shall maintain a special permit in accordance with section
6 311.294 or hold a by-the-drink-for-consumption-on-the-premises-where-sold retail license.

7 2. No money or anything of value shall be given to the retailers for the privilege or
8 opportunity of conducting the on-the-premises product tasting.

9 3. Any winery, distiller, manufacturer, wholesaler, or brewer or designated
10 employee may provide and pour distilled spirits, wine, or malt beverage samples off a
11 licensed retail premises for tasting purposes provided no sales transactions take place.
12 Solicitation for later sales via forms or promotional material shall not constitute a violation
13 of this section.

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