

SS SCS SB 121 -- LIQUOR CONTROL LAWS

SPONSOR: Schaefer (Jones)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on General Laws by a vote of 12 to 1.

This substitute allows beer brewed for personal or family use to be removed from the premises where brewed for use at organized affairs, exhibitions, or competitions, such as home brewer contests, tastings, or judging. The use may occur off licensed retail premises, on any premises under a temporary retail license, or on any tax-exempt organization's licensed premises. In addition, the substitute specifies that intoxicating liquor manufactured for personal or family use may not be offered for sale.

The substitute allows distillers, wholesalers, winemakers, retailers, and brewers to make financial contributions for festivals where alcohol is sold to a not-for-profit organization that is registered with the Secretary of State. The contributions cannot benefit a private shareholder or liquor licensee member of the organization. The contributions must be used to pay for event expenses that are unrelated to retail alcohol sales.

Currently, the Division of Alcohol and Tobacco Control within the Department of Public Safety may issue a license to serve liquor by the drink at retail for consumption on a boat that can carry 100 or more passengers. The substitute allows a person to get a license to serve liquor by the drink at retail for consumption on a boat that can carry 45 to 99 passengers and is on Table Rock Lake.

Under the substitute, a wholesaler may give, and a retailer may accept, a sample of malt liquor that is no more than 72 ounces if the retailer has not previously purchased the brand of malt liquor from that wholesaler, the wholesaler keeps a record of the transaction, and no samples are consumed or opened on the premises of the retailer except as provided by the retail license. If a particular product is not available in a size of 72 ounces or less, a wholesaler may give the next larger size to the retailer.

Under current law, liquor may not be sold in a train while it is stopped. The substitute repeals that prohibition.

Currently, some businesses licensed to sell alcohol can remain open but are required to close the rooms used for dispensing alcohol from 1:30 a.m. to 6:00 a.m. The substitute adds bowling alleys to the list of businesses that are not required to close during these hours. The bowling alley must lock the rooms it uses for

dispensing alcohol during these hours. If business is conducted in one room, the bowling alley may keep the refrigerators, cabinets, cases, boxes, and taps locked rather than the entire room in which intoxicating liquor is dispensed.

Currently, restaurants conducting business in only one room may remain open but must lock the refrigerators, cabinets, cases, boxes, and taps that dispense intoxicating liquor if substantial quantities of food and merchandise other than liquor are dispensed at the restaurant. The substitute removes the requirement that substantial quantities of food and merchandise be dispensed at the restaurant.

The substitute creates a temporary liquor permit for festivals. Any persons holding a license to sell intoxicating liquor by the drink at retail may apply for the permit. An application for a festival permit must be made at least five business days prior to the festival. The temporary permit will be effective for no more than 168 consecutive hours. The permit costs \$10 for each day it covers.

Wholesalers may, but are not required to, give a retailer credit for liquor that is delivered but not used if the wholesaler removes the product within 72 hours of the expiration of the permit. The substitute specifies that no law or regulation will be interpreted as preventing a wholesaler, retailer, or distributor from providing storage, cooling, or dispensing equipment for use at festivals.

Currently, a festival is defined as a musical activity that will continue uninterrupted for a period of 12 hours or more. The substitute revises the definition to exclude that the event be uninterrupted.

The substitute contains an emergency clause for the provisions regarding beer brewed for personal or family use.

PROPOSERS: Supporters say that the bill will allow individuals who brew beer in the homes to participate in festivals and other similar events that under current law they are prevented from doing.

Testifying for the bill were Senator Schmitt on behalf of Senator Schaefer; Missouri Beer Wholesalers Association; and Anheuser-Busch.

OPPOSERS: There was no opposition voiced to the committee.