

SS SCS SB 121 -- LIQUOR CONTROL

This bill specifies that any intoxicating liquor manufactured for personal or family use cannot be offered for sale but allows beer brewed under Section 311.055, RSMo, 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.

A distiller, wholesaler, winemaker, retailer, brewer, or one of its employees or officers is allowed to make a financial contribution for specified festivals where alcohol is sold to a not-for-profit organization that is registered with the Secretary of State. The contribution cannot benefit a private shareholder or retail liquor licensee member of the organization and must be used to pay for special event infrastructure 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 bill allows a person to apply for and the Supervisor of Alcohol and Tobacco Control to issue a license to serve liquor by the drink at retail for consumption on a boat licensed by the United State Coast Guard to carry 45 to 99 passengers for hire on Table Rock Lake.

A wholesaler of malt liquor may give, and a retailer may accept, a sample of malt liquor that is no more than 72 fluid 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 the sample is not 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. Brands must be differentiated by differences in the brand name of the product or the product's nature, including its designation of class, type, or kind.

The provision prohibiting liquor from being sold on a train while it is stopped at a station is repealed.

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 bill 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, a restaurant 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 bill repeals the requirement that substantial quantities of food and merchandise be dispensed at the restaurant.

The bill allows the Supervisor of Liquor Control to issue a temporary liquor permit to a person holding a license to sell intoxicating liquor by the drink at retail who furnishes provisions and services for use at a festival as defined in Chapter 316. An application for a permit must be made at least five business days prior to the festival. The permit will be effective for no more than 168 consecutive hours and costs \$10 for each day for which it is issued. A wholesaler may, but is 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. Any law, rule, or regulation cannot be interpreted as preventing a wholesaler, retailer, or distributor from providing storage, cooling, or dispensing equipment for use at a festival.

Currently, a "festival" is defined as a musical activity that will continue uninterrupted for a period of 12 hours or more. The bill revises the definition to remove the requirement that the activity be uninterrupted.

The provisions of the bill regarding beer brewed for personal or family use in Section 311.055 contain an emergency clause.