

## HCS SB 808 -- TRANSFER OF INTOXICATING LIQUOR

SPONSOR: Brown (Bondon)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on General Laws by a vote of 10 to 1. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 8 to 3.

This bill modifies provisions relating to the transfer of intoxicating liquor.

### POWDERED ALCOHOL

This bill adds powdered alcohol to the definition of intoxicating liquor used in state liquor control laws. The bill also requires anyone shipping or delivering powdered alcohol to a resident of this state for personal use to have an alcohol carrier license (Sections 311.020, 311.185, and 311.188, RSMo).

This provision is the same as HB 1248 (2018).

### ALCOHOL INDUSTRY TRADE PRACTICES

This bill expands the provisions of Section 311.070, by adding items to the list of temporary point-of-sale advertising materials. The bill changes the definition of equipment and supplies by removing glassware and adding nonrefrigeration items with a logo. The bill also increases the total value of product displays that a distiller, wholesaler, winemaker, or brewer may give or sell to retail businesses from \$300 to \$500 and the total value of all permanent point-of-sale advertising materials provided to a retail business from \$500 to \$800, excluding the replacement of similar materials. The bill also reduces the record keeping requirement for point-of-sale advertising materials provided to retailers from three years to two years. This bill makes changes to the provisions regulating the dispensing accessories that may be installed, loaned, given, rented or sold to retail licensees (Section 311.070).

This provision is the same as HB 1924 (2018).

### POSSESSION BY WHOLESALERS

This bill requires that all intoxicating liquor purchased for resale in this state prior to being resold at retail physically come into the possession of a licensed wholesaler and be unloaded in, and distributed from, the licensed wholesaler's warehouse in this state, except for certain types of intoxicating liquor purchased or sold by specified manufacturers. Currently, the law requires only that malt beverages, and not all intoxicating liquor, physically come into the possession of wholesalers, and be

distributed through wholesaler warehouses in this state (Sections 311.190 and 311.373).

This provision is the same as HB 2364 (2018).

#### EMPLOYEE AGE REQUIREMENTS

Currently, licensed wholesalers may employ persons at least 18 years of age to rotate, stock, and arrange displays at retail establishments licensed to sell intoxicating liquor. This bill also allows wholesalers to employ such persons to unload delivery vehicles and transfer intoxicating liquor to retail licensed premises if such persons are supervised by delivery drivers that are 21 years of age or older.

This bill also allows employees over the age of 18 to carry intoxicating liquor out of a licensed retail establishment to a customer's vehicle (Section 311.300).

This provision is similar to SB 664 and HB 2258 (2018).

#### CENTRAL WAREHOUSES

This bill allows any person, firm, or corporation owning more than one premise, that is licensed to sell intoxicating liquor containing alcohol in excess of 5% by weight at retail, to designate central warehouses to which liquor, except beer and other malt liquor, purchased from a wholesaler may be delivered and stored with the permission of the Supervisor of Liquor Control. The liquor stored in such warehouses may then be transferred to any premise in the state licensed to sell intoxicating liquor at retail which is owned and operated by the same person, firm, or corporation (Section 311.367).

This provision is the same as HB 2409, similar to HCS HB 1141, and SB 480 (2017).

#### DISCOUNTS AND PROMOTIONS

This bill specifies that a wholesaler cannot directly or indirectly fund the cost of any cash rebate coupon provided by manufacturers of intoxicating liquor. The bill also authorizes retailers of intoxicating liquor to offer and advertise coupons, premiums, prizes, rebates, and other promotional programs of any type to consumers as an inducement to purchase alcohol, so long as no advertisement for intoxicating liquor contains a price that is below the retailer's actual cost. The retailer must also assume the cost of the sale or discounted price. Retailers who offer a loyalty program for intoxicating liquor purchases must include all intoxicating liquors in the loyalty program and the rewards must be applied at the same rate for all intoxicating liquor purchases. The bill allows retailers to purchase, publish, or display advertisements of intoxicating liquors that list the amount of the rebate or discount and the retail price after the rebate or

discount (Section 311.355).

This provision is the same as HCS HB 1653 (2018).

PROPONENTS: Supporters say that the underlying job will allow for more job opportunities for workers under the age of 21.

Testifying for the bill were Senator Brown; Missouri Beer Wholesalers Association; and Southern Glazers Wine and Spirits.

OPPONENTS: There was no opposition voiced to the committee.