

FIRST REGULAR SESSION

SENATE BILL NO. 451

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CUNNINGHAM.

Read 1st time February 24, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

2101S.011

AN ACT

To repeal section 311.297, RSMo, and to enact in lieu thereof one new section relating to the tasting of liquor.

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

Section A. Section 311.297, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 311.297, to read as follows:

311.297. 1. Any winery, distiller, manufacturer, wholesaler, or brewer or
2 designated employee may provide and pour distilled spirits, wine, or malt
3 beverage samples off a licensed retail premises for tasting purposes provided no
4 sales transactions take place. For purposes of this section, a "sales transaction"
5 shall mean an actual and immediate exchange of monetary consideration for the
6 immediate delivery of goods at the tasting site.

7 2. Notwithstanding any other provisions of this chapter to the contrary,
8 any winery, distiller, manufacturer, wholesaler, or brewer or designated employee
9 may provide, furnish, or pour distilled spirits, wine, or malt beverage samples for
10 customer tasting purposes on any temporary licensed retail premises as described
11 in section 311.218, 311.482, 311.485, 311.486, or 311.487, or on any tax exempt
12 organization's licensed premises as described in section 311.090.

13 **3. Notwithstanding any other provisions of this chapter to the**
14 **contrary, any winery, distiller, manufacturer, wholesaler, or brewer or**
15 **designated employee may provide, furnish, or pour distilled spirits,**
16 **wine, or malt beverage samples on a licensed retail premises for**
17 **customer tasting purposes. The retail licensed premises where such**
18 **product tasting is provided shall maintain a special permit in**
19 **accordance with section 311.294 or hold a by-the-drink-for-**

20 **consumption-on-the-premises-where-sold** retail license. No money or
21 **anything of value shall be given to the retailers for the privilege or**
22 **opportunity of conducting the on-the-premises product tasting.**

✓

Unofficial

Bill

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