

FIRST REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 171

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GRIESHEIMER.

Read 1st time January 8, 2009, and ordered printed.

Read 2nd time January 26, 2009, and referred to the Committee on General Laws.

Reported from the Committee February 11, 2009, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up February 23, 2009. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

0545S.01P

AN ACT

To repeal section 311.360, RSMo, and to enact in lieu thereof two new sections relating to wine manufacturers, with penalty provisions.

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

Section A. Section 311.360, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 311.192 and 311.360, to read as
3 follows:

311.192. The term "wine manufacturer" as used in this chapter,
2 **shall mean any person, partnership, association of persons, or**
3 **corporation, who has procured a license under subdivision (2) of**
4 **subsection 1 of section 311.180 or section 311.190, and who**
5 **manufactures in excess of two hundred gallons of wine per calendar**
6 **year.**

311.360. 1. No person holding a license or permit shall sell malt liquor,
2 or any other intoxicating liquor in this state, or shall offer for sale any such malt
3 liquor, or other intoxicating liquor, whatsoever, brewed, manufactured or distilled
4 by one manufacturer, in substitution for, or with the representation that any such
5 malt liquor or other intoxicating liquor, is the product of any other brewer,
6 manufacturer or distiller. Whosoever shall violate the provisions of this section
7 shall be deemed guilty of a misdemeanor.

8 **2. Notwithstanding the provisions of subsection 1 of this section,**
9 **no person holding a license or permit shall be deemed guilty of a**
10 **misdemeanor for offering for sale, or for the sale of, wine or brandy so**

11 long as the manufacturer of the brandy or the wine manufacturer has
12 provided the supervisor of alcohol and tobacco control with a copy of
13 the certificate of label approval issued by the Alcohol and Tobacco Tax
14 and Trade Bureau, and if necessary, has properly registered such label
15 or name with the appropriate state agency.

✓

Unofficial

Bill

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