

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 114

97TH GENERAL ASSEMBLY

Reported from the Committee on General Laws, February 28, 2013, with recommendation that the Senate Committee Substitute do pass.

0175S.04C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 311.055 and 311.091, RSMo, and to enact in lieu thereof two new sections relating to intoxicating liquor, with an emergency clause for a certain section.

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

Section A. Sections 311.055 and 311.091, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 311.055 and 311.091, to read as follows:

311.055. 1. No person at least twenty-one years of age shall be required to obtain a license to manufacture intoxicating liquor, as defined in section 311.020, for personal or family use. The aggregate amount of intoxicating liquor manufactured per household shall not exceed two hundred gallons per calendar year if there are two or more persons over the age of twenty-one years in such household, or one hundred gallons per calendar year if there is only one person over the age of twenty-one years in such household. **Any intoxicating liquor manufactured under this section may not be offered for sale.**

2. **Beer brewed under this section may be removed from the premises where brewed for personal or family use, including 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 issued under sections 311.218, 311.482, 311.485, 311.486, or 311.487, or on any tax exempt organization's licensed premises as described in section 311.090.**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

311.091. 1. **Except as provided under subsection 2 of this section**
2 **and** notwithstanding any other provisions of this chapter to the contrary, any
3 person who possesses the qualifications required by this chapter and who meets
4 the requirements of and complies with the provisions of this chapter may apply
5 for and the supervisor of [liquor] **alcohol and tobacco** control may issue a
6 license to sell intoxicating liquor, as defined in this chapter, by the drink at retail
7 for consumption on the premises of any boat, or other vessel licensed by the
8 United States Coast Guard to carry one hundred or more passengers for hire on
9 navigable waters in or adjacent to this state, which has a regular place of
10 mooring in a location in this state or within two hundred yards of a location
11 which would otherwise be licensable under this chapter. The license shall be
12 valid even though the boat, or other vessel, leaves its regular place of mooring
13 during the course of its operation.

14 2. **Any person who possesses the qualifications required by this**
15 **chapter and who meets the requirements of, and complies with the**
16 **provisions of, this chapter may apply for, and the supervisor of alcohol**
17 **and tobacco control may issue, a license to sell intoxicating liquor by**
18 **the drink at retail for consumption on the premises of any boat or other**
19 **vessel licensed by the United States Coast Guard to carry forty-five to**
20 **ninety-nine passengers for hire on a lake with a shoreline that is in**
21 **three counties, one of which is any county of the third classification**
22 **without a township form of government and with more than**
23 **thirty-three thousand but fewer than thirty-seven thousand inhabitants**
24 **and with a city of the fourth classification with more than three**
25 **thousand but fewer than three thousand seven hundred inhabitants as**
26 **the county seat, one of which is any county of the third classification**
27 **without a township form of government and with more than**
28 **twenty-nine thousand but fewer than thirty-three thousand inhabitants**
29 **and with a city of the fourth classification with more than four hundred**
30 **but fewer than four hundred fifty inhabitants as the county seat, and**
31 **one of which is any county of the first classification with more than**
32 **fifty thousand but fewer than seventy thousand inhabitants. The boat**
33 **must have a regular place of mooring in a location in this state or**
34 **within two hundred yards of a location which would otherwise be**
35 **licensable under this chapter. The license shall be valid even though**
36 **the boat, or other vessel, leaves its regular place of mooring during the**

37 course of its operation.

38 **3.** For every license for sale of liquor by the drink at retail for
39 consumption on the premises of any boat or other vessel issued under the
40 provisions of this section, the licensee shall pay to the director of revenue the sum
41 of three hundred dollars per year.

 Section B. Because of the need to clarify the laws relating to beer brewed
2 for personal or family use, the repeal and reenactment of section 311.055 of this
3 act is deemed necessary for the immediate preservation of the public health,
4 welfare, peace and safety, and is hereby declared to be an emergency act within
5 the meaning of the constitution, and the repeal and reenactment of section
6 311.055 of this act shall be in full force and effect upon its passage and approval.

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Bill

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