

SECOND REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 689

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY SENATORS SCHMITT, WALSH, KEAVENY, NASHEED, NIEVES,  
ROMINE AND CHAPPELLE-NADAL.

Read 1st time January 9, 2014, and ordered printed.

Read 2nd time January 30, 2014, and referred to the Committee on Jobs, Economic Development and Local Government.

Reported from the Committee March 6, 2014, with recommendation that the bill do pass.

Taken up for Perfection March 10, 2014. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

4795S.01P

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## AN ACT

To repeal section 311.200, RSMo, and to enact in lieu thereof one new section relating to the sale of intoxicating liquor in the original package, with an effective date.

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

Section A. Section 311.200, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 311.200, to read as follows:

311.200. 1. No license shall be issued for the sale of intoxicating liquor  
2 in the original package, not to be consumed upon the premises where sold, except  
3 to a person engaged in, and to be used in connection with, the operation of one  
4 or more of the following businesses: a drug store, a cigar and tobacco store, a  
5 grocery store, a general merchandise store, a confectionery or delicatessen store,  
6 nor to any such person who does not have and keep in his store a stock of goods  
7 having a value according to invoices of at least one thousand dollars, exclusive of  
8 fixtures and intoxicating liquors. Under such license, no intoxicating liquor shall  
9 be consumed on the premises where sold nor shall any original package be opened  
10 on the premises of the vendor except as otherwise provided in this law. For every  
11 license for sale at retail in the original package, the licensee shall pay to the  
12 director of revenue the sum of one hundred dollars per year.

13 2. For a permit authorizing the sale of malt liquor not in excess of five  
14 percent by weight by grocers and other merchants and dealers in the original  
15 package direct to consumers but not for resale, a fee of fifty dollars per year  
16 payable to the director of the department of revenue shall be required. The

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

17 phrase "original package" shall be construed and held to refer to any package  
18 containing [three] **one** or more standard bottles, **cans, or pouches** of  
19 beer. Notwithstanding the provisions of section 311.290, any person licensed  
20 pursuant to this subsection may also sell malt liquor at retail between the hours  
21 of 9:00 a.m. and midnight on Sunday.

22 3. For every license issued for the sale of malt liquor at retail by drink for  
23 consumption on the premises where sold, the licensee shall pay to the director of  
24 revenue the sum of fifty dollars per year. Notwithstanding the provisions of  
25 section 311.290, any person licensed pursuant to this subsection may also sell  
26 malt liquor at retail between the hours of 9:00 a.m. and midnight on Sunday.

27 4. For every license issued for the sale of malt liquor and light wines  
28 containing not in excess of fourteen percent of alcohol by weight made exclusively  
29 from grapes, berries and other fruits and vegetables, at retail by the drink for  
30 consumption on the premises where sold, the licensee shall pay to the director of  
31 revenue the sum of fifty dollars per year.

32 5. For every license issued for the sale of all kinds of intoxicating liquor,  
33 at retail by the drink for consumption on premises of the licensee, the licensee  
34 shall pay to the director of revenue the sum of three hundred dollars per year,  
35 which shall include the sale of intoxicating liquor in the original package.

36 6. For every license issued to any railroad company, railway sleeping car  
37 company operated in this state, for sale of all kinds of intoxicating liquor, as  
38 defined in this chapter, at retail for consumption on its dining cars, buffet cars  
39 and observation cars, the sum of one hundred dollars per year. A duplicate of  
40 such license shall be posted in every car where such beverage is sold or served,  
41 for which the licensee shall pay a fee of one dollar for each duplicate license.

42 7. All applications for licenses shall be made upon such forms and in such  
43 manner as the supervisor of alcohol and tobacco control shall prescribe. No  
44 license shall be issued until the sum prescribed by this section for such license  
45 shall be paid to the director of revenue.

Section B. The provisions of this act shall take effect on January 1, 2015.

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