

SECOND REGULAR SESSION

HOUSE BILL NO. 2364

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BONDON.

6263H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 311.190 and 311.373, RSMo, and to enact in lieu thereof two new sections relating to intoxicating liquor.

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

Section A. Sections 311.190 and 311.373, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 311.190 and 311.373, to read as follows:

311.190. 1. For the privilege of manufacturing wine or brandy, which manufacturing shall be in accordance with all provisions of federal law applicable thereto except as may otherwise be specified in this section, in quantities not to exceed five hundred thousand gallons, not in excess of eighteen percent of alcohol by weight for wine, or not in excess of thirty-four percent of alcohol by weight for brandy, from grapes, berries, other fruits, fruit products, honey, and vegetables produced or grown in the state of Missouri, exclusive of sugar, water and spirits, there shall be paid to and collected by the director of revenue, in lieu of the charges provided in section 311.180, a license fee of five dollars for each five hundred gallons or fraction thereof of wine or brandy produced up to a maximum license fee of three hundred dollars.

2. Notwithstanding the provisions of subsection 1 of this section, a manufacturer licensed under this section may use in any calendar year such wine- and brandy-making material produced or grown outside the state of Missouri in a quantity not exceeding fifteen percent of the manufacturer's wine entered into fermentation in the prior calendar year.

3. In any year when a natural disaster causes substantial loss to the Missouri crop of grapes, berries, other fruits, fruit products, honey or vegetables from which wines are made, the director of the department of agriculture shall determine the percent of loss and allow a certain

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 additional percent, based on the prior calendar year's production of such products, to be
18 purchased outside the state of Missouri to be used and offered for sale by Missouri wineries.

19 4. **Notwithstanding any other provision of section 311.373 to the contrary**, a
20 manufacturer licensed under this section may purchase and sell bulk or packaged wines or
21 brandies received from other manufacturers licensed under this section and may also purchase
22 in bulk, bottle and sell to duly licensed wineries, wholesalers and retail dealers on any day except
23 Sunday, and a manufacturer licensed under this section may offer samples of wine, may sell wine
24 and brandy in its original package directly to consumers at the winery, and may open wine so
25 purchased by customers so that it may be consumed on the winery premises on Monday through
26 Saturday between 6:00 a.m. and midnight and on Sunday between 9:00 a.m. and 10:00 p.m.

311.373. All ~~mal beverages~~ **intoxicating liquor** purchased for resale in this state prior
2 to being resold at retail shall physically come into the possession of a licensed wholesaler and
3 be unloaded in and distributed from the licensed wholesaler's warehouse in this state.

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