DIVISION OF ALCOHOL AND TOBACCO CONTROL

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INDUSTRY CIRCULAR

FREQUENTLY ASKED QUESTIONS FOR SENATE BILL 994

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The Division of Alcohol and Tobacco Control (ATC) has assembled a Q&A for frequently asked questions regarding each section of Senate Bill 994 (SB994). Each section of SB 994 became effective Oct. 14, 2016.

Section 282.823 - Missouri Wine and Grape Board
Section 311.060 - Revoked Licensees Obtaining a New Liquor License and Working in a Licensed Establishment
Section 311.091 - Boat License
Section 311.205 - Self-Dispensing Systems
Section 311.950 - Selling Alcoholic Beverages Through the Use of Mobile Applications at Stadiums and Arenas

Section 262.823 – Missouri Wine and Grape Board

Please contact the Missouri Wine and Grape Board with questions:

Missouri Wine & Grape Board
1616 Missouri Boulevard
Jefferson City, MO 65102

Phone: (573)-751-6807

Email: missouri.wine@mda.mo.gov
Website: http://www.missouriwine.org

Section 311.060 – Revoked Licensees Obtaining a New Liquor License and Working in a Licensed Establishment

Q. May a person who had a previous liquor license revoked reapply for a new liquor license or permit?
A. Yes. Any person whose liquor license or permit has been revoked may be eligible to reapply for a new license or permit 5 years after the date of the revocation. The license may be issued at the discretion of the Supervisor of the Division of Alcohol and Tobacco Control.

Q. Is there a waiting period before a revoked person may apply for a liquor license or permit?A. Yes. A revoked licensee must wait 5 years after the date of the revocation before they are eligible to reapply for a new license or permit.

Q. May a revoked licensee work at an establishment that holds a liquor license?
A. Yes. Any person whose liquor license or permit has been revoked shall be eligible to work as an employee of an establishment holding a liquor license or permit 5 years after the date of the revocation. It is the responsibility of the employer of such person to inquire and verify the individual's 5 year waiting period has expired to determine their eligibility.

Q. Is there a waiting period before a revoked person may work at an establishment holding a liquor license?
A. Yes. A revoked licensee must wait 5 years after the date of the revocation before they may work as an employee of an establishment holding a liquor license. It is the responsibility of the employer of such person to inquire and verify the individual's 5 year waiting period has expired to determine their eligibility.

Q. Do I have any options as a revoked licensee if the division denies the request for a new permit or license.
A. Yes. Any person whose request for a new license or permit is denied may seek a determination by the administrative hearing commission as provided under section 311.691.

Section 311.091 – Boat License

Q. Are there any special requirements for obtaining a liquor license for a boat?
A. Yes. The boat must be licensed by the United State Coast Guard to carry 30 or more passengers for hire and have a regular place of mooring in Missouri.

Q. Are there other liquor licenses available for boats in the state of Missouri?
A. No. The boat liquor licenses previously available were repealed with the passage of the less restrictive 30 passenger requirement.

Q. Is the Table Rock Lake boat liquor license still available?
A. No. The Table Rock boat liquor license has been replaced with a boat license available statewide.

Section 311.205 – Self-Dispensing Systems

Q. Are self-dispensing systems allowed?
A. Yes. Anyone licensed to sell at retail by the drink (RBD) may use self-dispensing systems that are monitored and controlled by the licensee.

Q. What products may be self-dispensed and in what quantities?
A. Self-dispensing systems may be used to serve up to 32 ounces of beer or 16 ounces of wine per patron per authorization.

Q. May the wholesaler furnish a self-dispensing system and provide follow up services for maintenance?
A. No. Wholesalers, distributors, and manufacturers may not provide self-dispensing systems, cooling equipment or provide services for the maintenance, sanitation or repair of the self-dispensing systems.

Section 311.950 – Selling Alcoholic Beverages Through the Use of Mobile Applications at Stadiums and Arenas

Q. What is a mobile application?
A. For the purposes of this section, mobile application is a computer program or software designed to be used on mobile hand-held devices such as cellular phones and tablet computers.

Q. Where may alcoholic beverages be sold through the use of mobile applications?
A. Entertainment facilities such as arenas and stadiums used primarily for concerts, shows, and sporting events of any kind and entities selling concessions at such facilities that are licensed to sell alcoholic beverages may be allowed to sell and deliver alcoholic beverages purchased through a mobile application to individuals attending an event.

Q. May alcohol be sold through the use of mobile applications at an unlicensed facility that does not hold a valid state liquor license or permit?
A. No. It is prohibited to sell and/or deliver alcoholic beverages purchased through the use of mobile applications if such facilities and the entities selling concessions at such facilities do not possess all necessary and valid licenses and permits that allow for the sale of alcoholic beverages.

Q. May an outside entity sell and deliver alcohol purchased through the use of mobile applications to an individual attending an event at an approved facility?
A. No. The entity must be part of the facility and, therefore, must be located within the licensed facility.

Q. Must the age of the individual purchasing the alcohol be verified in order for the alcohol to be delivered?
A. Yes. Facilities and entities of such facilities must be in compliance with all applicable state laws and regulations regarding the sale of alcoholic beverages. This section requires the

employee of a facility or an entity selling concessions at a facility to verify that the purchasing individual is 21 years of age or older by viewing a valid government-issued identification document provided by the purchasing individual that includes a photograph and birth date of the individual, such as a driver's license before alcohol can be delivered to them. Please refer to section 311.328 for acceptable forms of identification.

Q. Must the alcoholic beverages purchased through the use of mobile applications be consumed on the premises of the facility where purchased?
A. Yes. Facilities and entities selling concession at such facilities must be in compliance with all applicable state laws and regulations that state alcoholic beverages that are not in the original package must be consumed on the licensed premises.

Q. May alcoholic beverages be purchased through the use of a mobile application and delivered to the parking lot of such facility?
A. No. Alcoholic beverages must be purchased, delivered, and consumed on the licensed premises of the facility.

ATC has posted this industry circular to answer questions that may revolve around Senate Bill 994. If you have additional questions regarding any of the above, please contact ATC for clarification or assistance at (573) 751-5443. Please check this site regularly for updates.