

DIVISION OF ALCOHOL AND TOBACCO CONTROL

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INDUSTRY CIRCULAR

SENATE BILL 26 & SENATE BILL 126

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The Division of Alcohol and Tobacco Control (ATC) has assembled information on the changes in liquor control law as a result of Senate Bill 26 (SB 26) (2021) and Senate Bill 126 (SB 126) (2021). Every section in the bill becomes effective August 28, 2021. The following is a section by section description of the changes as a result of SB 26 and SB 126:

Senate Bill 26¹

- [Section 311.060](#) – Removes Reporting Requirement for Employing Felons
- [Section 311.660](#) – Authorizes Employing Felons

Senate Bill 126

- [Section 311.070](#) – Extends Sunday Hours; Expands Allowable Trade Practices
- [Section 311.086](#) – Extends Sunday Hours
- [Section 311.089](#) – Extends Sunday Hours
- [Section 311.096](#) – Extends Sunday Hours
- [Section 311.174](#) – Extends Sunday Hours; Corrects Statutory Citation
- [Section 311.176](#) – Extends Sunday Hours; Corrects Statutory Citation
- [Section 311.178](#) – Extends Sunday Hours; Corrects Statutory Citation
- [Section 311.179](#) – Corrects Statutory Citation
- [Section 311.190](#) – Extends Sunday Hours
- [Section 311.200](#) – Extends Sunday Hours
- [Section 311.202](#) – Authorizes Sale of Retailer-Packaged Alcohol
- [Section 311.218](#) – Extends Sunday Hours
- [Section 311.293](#) – Extends Sunday Hours
- [Section 311.480](#) – Extends Sunday Hours
- [Section 311.482](#) – Extends Sunday Hours
- [Section 311.620](#) – Relaxes Residency Requirement for ATC Enforcement Personnel
- [Section 311.710](#) – Extends Sunday Hours

¹ SB 26 changed approximately eighty different statutes. For the purpose of this legislative update, only the two statutory changes that impacted Missouri liquor law have been included.

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Section by Section Summary

[Section 311.060 – Removes Reporting Requirement for Employing Felons](#)

[Section 311.660 – Authorizes Employment of Felons](#)

Summary of provision/s: Previously, licensees were required to report the employment of any convicted felon to ATC. These provisions eliminated that reporting requirement, and introduced a new provision that solidified the rights of convicted felons to be employed by intoxicating liquor licensees.

[Section 311.070 – Expands Allowable Trade Practices](#)

Summary of provision/s: To maintain the integrity of Missouri’s three-tier system, Section 311.070, RSMo, prohibits manufacturers and wholesalers from having a direct or indirect financial interest in a retailer. Section 311.070, RSMo, also contains various exceptions to this prohibition, allowing certain activities that do not rise to the level of a direct or indirect financial interest. This provision clarifies and expands these exceptions to include: adds items to equipment and supplies; defines nonrefrigeration dispensing accessories and allows for the installation of such items; adds items to temporary and permanent point-of-sale advertising materials; adds an item to product displays; allows replacement of damaged or nonfunctioning permanent point-of-sale advertising materials; and clarifies what cleaning services are allowed, to include sanitation services. Additionally, this provision requires wholesalers to conduct these activities in a way that is fair and reasonable to all retailers.

[Section 311.070 – Extends Sunday Hours for Distilleries with a Retail License](#)

[Section 311.086 – Extends Sunday Hours for Entertainment Districts](#)

[Section 311.089 – Extends Sunday Hours for Kansas City and St. Louis](#)

[Section 311.096 – Extends Sunday Hours for Malls](#)

[Section 311.174 – Extends Sunday Hours for National Landmark; Corrects Statutory Citation](#)

[Section 311.176 – Extends Sunday Hours in St. Louis City; Corrects Statutory Citation](#)

[Section 311.178 – Extends Sunday Hours in St. Louis County; Corrects Statutory Citation](#)

[Section 311.179 – Corrects Statutory Citation to Time of Closing](#)

[Section 311.190 – Extends Sunday Hours for Domestic Wineries](#)

[Section 311.200 – Extends Sunday Hours for Certain Malt Retailers](#)

[Section 311.218 – Extends Hours for Fourth of July Celebration](#)

[Section 311.293 – Extends Sunday Hours for Original Package License](#)

[Section 311.480 – Extends Sunday Hours for Consumption License](#)

[Section 311.482 – Extends Sunday Hours for Picnic License](#)

[Section 311.710 – Extends Sunday Hours](#)

Summary of provision/s: Previously, Sunday hours of operation were more restrictive than Monday through Saturday hours of operation and varied across the different retail license types. These provisions have standardized Sunday hours of operation for those permitted to conduct such business to run from 6 a.m. to 1:30 a.m. the following day, seven days a week, except where otherwise dictated by statute.

[Section 311.202 – Authorizes Sale of Retailer-Packaged Alcohol for Off-Premise Consumption](#)

Summary of provision/s: This new provision gives retail licensees the ability to package and sell intoxicating liquor for off-premise consumption, as long as they comply with certain requirements. These requirements, which are laid out in detail in Section 311.202, RSMo, include but are not limited to: containers must be filled on premise by an employee twenty-one years of age or older; containers must be durable, leak-proof, sealable and tamperproof; limitations on the number and size of containers sold; requires all patrons to purchase a meal with the intoxicating liquor; and patrons must be provided a dated receipt or electronic record of the purchase. This provision does not allow a wholesaler or manufacturer to furnish the containers that are filled under this provision. A container with a lid that contains sipping holes or openings for straws is prohibited under this provision regardless of whether tape is placed over the opening.

Please note, retail licensees qualifying to sell growlers of beer under Sections 311.196 and 311.201, RSMo, may continue to sell growlers in accordance with those provisions without meeting the requirements set forth in 311.202, RSMo. Growlers used for the purposes of complying with Section 311.202, RSMo, must meet all other statutory provisions within this section.

[Section 311.620 – Relaxes Three Year Residency Requirement for Enforcement Personnel](#)

Summary of provision/s: Previously, ATC agent appointees were required to be Missouri taxpaying residents for three years immediately prior to appointment. This provision eliminates the three year requirement and instead only requires that agent appointees be Missouri taxpaying residents at the time of appointment.

ATC has posted this industry circular to answer questions that may revolve around Senate Bill 26 and Senate Bill 126. This circular only addresses state liquor laws, and does not impact local liquor laws that could be more restrictive. If you have additional questions regarding any of the above, please contact your ATC district office for clarification or assistance at 573-751-2333. For a full directory visit us at '[Contact Us](#)'. Please check the ATC website regularly for updates.