

Title 11—Department of Public Safety
Division 70—Division of Alcohol and Tobacco Control
Chapter 2—Rules and Regulations

PROPOSED AMENDMENT

11 CSR 70-2.020 Application for License. The Division of Alcohol and Tobacco Control is amending section (5) adding sections (16) and (17).

PURPOSE: This amendment clarifies that an entity must disclose more than a single parent company's interest in the license. In order to check for conflicts with §311.060 and §311.070, the Division of Alcohol and Tobacco Control must have the ability to check for ownership behind corporate veils. This amendment allows the Division of Alcohol and Tobacco Control to decline to renew a liquor license where mandatory reports have not been filed. This amendment also codifies the Division's longstanding practice of not accepting renewals after July 31.

(5) If application is made by an entity, the application shall set out the names and residences of any officers and all members or shareholders, whether they be active or silent, and be signed by the managing officer. The entity shall qualify under the laws of Missouri for the license. **As used in this subsection for purposes of disclosure, "all members or shareholders" means all natural persons, regardless of corporate structure, who have a financial interest of 5% in either the profits or voting power of the licensed entity. The Supervisor may require further disclosure of financial interest beyond the 5% threshold after the application is made consistent with § 311.060, RSMo.**

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(16) No renewal application is complete if the applicant for renewal has any delinquent reports under Chapter 311, RSMo.

(17) All license applications not received at, or otherwise postmarked to, Division of Alcohol and Tobacco Control by July 31st shall not be considered for renewal. A new application must be submitted if a license is sought after the renewal period closes on July 31st.

AUTHORITY: section 311.660, RSMo Supp. 2021. This version of rule filed Feb. 8, 1973, effective Feb. 18, 1973. Amended: Filed July 11, 1984, effective Oct. 11, 1984. Amended: Filed Dec. 2, 1993, effective June 6, 1994. Amended: Filed Feb. 27, 1998, effective Aug. 30, 1998. Amended: Filed Sept. 22, 1998, effective March 30, 1999.*

Amended: Filed June 5, 2008, effective Nov. 30, 2008. Amended: Filed Oct. 10, 2018, effective May 30, 2019. Amended: Filed Jan. 25, 2022, effective Aug. 30, 2022.
Amended: Filed**

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Alcohol and Tobacco Control Central Office, 1738 E. Elm, Lower Level, Jefferson City, MO 65101, by facsimile at 573-526-4369, or via email at Benjamin.Kweskin@dps.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.