

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

PROPOSED AMENDMENT

11 CSR 70-2.140 All Licensees. The Division of Alcohol and Tobacco Control is amending section (4) paragraph (A) and adding a new paragraph (B).

PURPOSE: This amendment clarifies that no licensee may commit an illegal act on or about the licensed premise.

(4) Improper Acts.

(A) *[At no time, under any circumstances, may any licensee or his/her employees immediately fail to prevent or suppress any violent quarrel, disorder, brawl, fight, or other improper, or unlawful conduct of any person upon the licensed premises, nor may any licensee or his/her employees allow any indecent, profane, or obscene literature or advertising material upon the licensed premises.]* **Licensees and their employees shall: maintain an orderly business and take immediate, reasonable steps to prevent or suppress any violent altercation, quarrel, or illegal activity on or about the licensed premise.**

(B) Licensees and their employees shall not: engage in illegal, violent, or improper conduct; permit the use of the licensed premises for illegal activities; nor allow any indecent, profane, or obscene literature or advertising material upon the licensed premises.

[(B)] **(C)** In the event that a licensee or his/her employee knows or should have known that an illegal or violent act has been committed on or about the licensed premises, they are obligated to immediately report the occurrence to law enforcement authorities and cooperate with law enforcement authorities and agents of the Division of Alcohol and Tobacco Control during the course of any investigation into an occurrence.

[(C)] **(D)** This regulation applies to all areas on or about the licensed premise, including areas that have been rented to or reserved for temporary use by third parties.

AUTHORITY: section 311.660, RSMo Supp. 2022. This version of rule filed Feb. 8, 1973, effective Feb. 18, 1973. Amended: Filed Aug. 23, 1974, effective Sept. 2, 1974.*

*Amended: Filed Dec. 19, 1975, effective Dec. 29, 1975. Amended: Filed June 4, 1976, effective Nov. 11, 1976. Amended: Filed Sept. 30, 1976, effective April 15, 1977. Amended: Filed Aug. 21, 1980, effective Dec. 12, 1980. Amended: Filed Aug. 5, 1981, effective Nov. 12, 1981. Amended: Filed Nov. 6, 1981, effective Feb. 11, 1982. Amended: Filed April 7, 1983, effective July 11, 1983. Amended: Filed July 11, 1984, effective Oct. 11, 1984. Amended: Filed Aug. 30, 1985, effective Nov. 11, 1985. Amended: Filed May 13, 1986, effective July 26, 1986. Amended: Filed Aug. 14, 1987, effective Nov. 12, 1987. Amended: Filed Oct. 14, 1987, effective Jan. 14, 1988. Emergency amendment filed Nov. 22, 1989, effective Dec. 2, 1989, expired March 31, 1990. Amended: Filed Nov. 30, 1989, effective Feb. 25, 1990. Amended: Filed Aug. 5, 1991, effective Jan. 13, 1992. Amended: Filed Nov. 4, 1991, effective March 9, 1992. Emergency amendment filed Aug. 26, 1996, effective Sept. 5, 1996, expired March 3, 1997. Amended: Filed Aug. 26, 1996, effective Feb. 28, 1997. Amended: Filed Nov. 21, 1996, effective May 30, 1997. Amended: Filed Feb. 27, 1998, effective Aug. 30, 1998. Amended: Filed Nov. 20, 2003, effective July 30, 2004. Amended: Filed June 5, 2018, effective Jan. 30, 2019. Amended: Filed May 27, 2022, effective Jan. 30, 2023. **Amended: Filed*****

**Original authority: 311.660, RSMo 1939, amended 1989, 2021*

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.