

**Title II – DEPARTMENT OF PUBLIC SAFETY  
Division 70-Division of Alcohol and Tobacco Control  
Chapter 2-Rules and Regulations**

**PROPOSED AMENDMENT**

**11 CSR 70-2.080 Malt Liquor [and Nonintoxicating Beer] Tax.** The division is amending all sections.

*Purpose – To revise this section that establishes tax amounts on various container sizes of malt beverages, defines contraband and prohibits possession of untaxed [cereal] malt beverages, to reflect the elimination of Chapter 312, RSMo, regarding nonintoxicating beer.*

(1) The tax on malt liquor *[and nonintoxicating beer shall be]* **is** one dollar eighty-six cents (\$1.86) per barrel or six cents (\$.06) per gallon.

(2) No sale or delivery of malt liquor *[or nonintoxicating beer shall]* **may** be made in this state without the proper amount of Missouri tax being paid.

(3) Any malt liquor *[or nonintoxicating beer]* shipped into, sold or offered for sale in this state without **payment[ing] of** the proper amount of taxes **due[**, *shall be deemed to be]* **is** contraband and *[shall] may be[,]* seized and disposed of *[as contraband]* by the supervisor or his/her agents.

*AUTHORITY: section 311.660, RSMo [1994] 2018.\* This version of rule filed Feb. 8, 1973, effective Feb. 18, 1973. Amended: Filed Feb. 27, 1998, effective Aug. 30, 1998. \*Original authority: 311.660, RSMo 1939, amended 1989. Amended: Filed October 10, 2018*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions.*

*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 at 1738 East Elm Street, Lower Level in Jefferson City, Mo 65101 or by facsimile at 573-526-4540, or via email at Karen.Dorton@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.*