

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

**PROPOSED AMENDMENT**

**11 CSR 70-2.230 Multiple Store Retailers.** *The division is amending sections (1), (2), (3) and (4).*

*Purpose – To revise this section, which establishes procedures for storage and transfer from a central warehouse by multiple licensed intoxicating liquor licensees, to reflect the elimination of Chapter 312, RSMo, regulating nonintoxicating beer. The Division’s name will be changed to Division of Alcohol and Tobacco Control in all applicable sections.*

(1) This regulation applies to all persons[, firms or corporations] **or entities** who own and operate more than one (1) premises licensed to sell intoxicating liquor [containing alcohol in excess of five percent (5%) by weight] at retail.

(2) Any person[, firm or corporation] **or entity** [defined] **set forth** in section (1), with the permission of the supervisor of [liquor] **alcohol and tobacco** control, may designate one (1) or more places as a central warehouse to which intoxicating liquors ordered and purchased by a person[, firm or corporation] **or entity** from licensed wholesalers may be delivered by licensed wholesalers and at which intoxicating liquors so owned by a person[, firm or corporation] **or entity** may be stored.

(3) Any person[, firm or corporation] **or entity** [defined] **set forth** in section (1) owning and storing intoxicating liquors in a central warehouse as provided in section (1) may transfer all or any part of the intoxicating liquors so stored from the central warehouse to any premises licensed to sell intoxicating liquors at retail which is owned and operated by the same person, firm or corporation and which is located in the same county in which the central warehouse is located, or is located in a county adjoining and contiguous to the county in which the central warehouse is located, but not otherwise; except that private brands of intoxicating liquor owned and sold exclusively by only one (1) person[, firm or corporation] **or entity** as set forth in section (1) and brands not privately owned but sold exclusively by only one (1) person[, firm or corporation] **or entity** may be transferred from the warehouse to any licensed premises in the state owned by a person[, firm or corporation] **or entity**, who is the exclusive retail dealer of the brand; provided, however, that [no] malt liquor [shall be] **is not** transferred from the central warehouse to another licensed premises unless the licensed premises is located in the same designated geographic area of the wholesaler from whom the malt liquor was purchased. The City of St. Louis [shall be] **is** deemed to be a county for the purposes of this regulation.

(4) Any person[ , firm or corporation] **or entity** [defined] **set forth** in section (1) desiring to transfer intoxicating liquor from a premises licensed to sell intoxicating liquors at retail owned and controlled by a person[, firm or corporation] **or entity** to another premises so licensed and owned and controlled by the same person[, firm or corporation] **or entity**, [shall] **should** first notify the supervisor of [liquor] **alcohol and tobacco** control in writing describing the type, brand, size containers and amount of intoxicating liquors to be so transferred, the license numbers of the premises from which and to which the transfer is to be made, and the true reason for the transfer and [shall not make the] **no transfer may be made** until the supervisor of [liquor] **alcohol and tobacco** control [shall have] **has** assented to the transfer or until three (3) full days (not counting Saturdays, Sundays and holidays) [shall have] **has** elapsed after the receipt of the notice by the supervisor of [liquor] **alcohol and tobacco** control during which time the supervisor [of liquor control shall not have refused to allow] **did not refuse the** transfer.

AUTHORITY: section 311.660, RSMo Supp. [1989] **2018**. \* This version of rule filed Feb. 8, 1973, effective Feb. 18, 1973. Amended: Filed May 15, 1987, effective Aug. 13, 1987. **Amended: Filed October 10, 2018.**

\*Original authority: 311.660, RSMo 1939, amended 1989.

*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.*