

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 2894**  
**101ST GENERAL ASSEMBLY**

5701H.02C

DANA RADEMAN MILLER, Chief Clerk

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**AN ACT**

To repeal sections 311.660 and 313.220, RSMo, and to enact in lieu thereof two new sections relating to activities extended to persons found guilty of certain criminal offenses.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 311.660 and 313.220, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 311.660 and 313.220, to read as follows:

311.660. 1. The supervisor of liquor control shall have the authority to suspend or  
2 revoke for cause all such licenses; and to make the following regulations, without limiting the  
3 generality of provisions empowering the supervisor of liquor control as in this chapter set  
4 forth as to the following matters, acts and things:

5 (1) Fix and determine the nature, form and capacity of all packages used for  
6 containing intoxicating liquor of any kind, to be kept or sold under this law;

7 (2) Prescribe an official seal and label and determine the manner in which such seal or  
8 label shall be attached to every package of intoxicating liquor so sold under this law; this  
9 includes prescribing different official seals or different labels for the different classes,  
10 varieties or brands of intoxicating liquor;

11 (3) Prescribe all forms, applications and licenses and such other forms as are  
12 necessary to carry out the provisions of this chapter, except that when a licensee substantially  
13 complies with all requirements for the renewal of a license by the date on which the  
14 application for renewal is due, such licensee shall be permitted at least an additional ten days  
15 from the date notice is sent that the application is deficient, in which to complete the  
16 application;

17 (4) Prescribe the terms and conditions of the licenses issued and granted under this  
18 law;

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 (5) Prescribe the nature of the proof to be furnished and conditions to be observed in  
20 the issuance of duplicate licenses, in lieu of those lost or destroyed;

21 (6) Establish rules and regulations for the conduct of the business carried on by each  
22 specific licensee under the license, and such rules and regulations if not obeyed by every  
23 licensee shall be grounds for the revocation or suspension of the license;

24 (7) The right to examine books, records and papers of each licensee and to hear and  
25 determine complaints against any licensee;

26 (8) To issue subpoenas and all necessary processes and require the production of  
27 papers, to administer oaths and to take testimony;

28 (9) Prescribe all forms of labels to be affixed to all packages containing intoxicating  
29 liquor of any kind; and

30 (10) To make such other rules and regulations as are necessary and feasible for  
31 carrying out the provisions of this chapter, as are not inconsistent with this law.

32 2. Notwithstanding subsection 1 of this section, the supervisor of liquor control shall  
33 not prohibit persons from participating in the sale of intoxicating liquor within the scope of  
34 their employment solely on the basis of being found guilty of any felony offense, except for  
35 prohibitions set forth in sections 311.191 and 311.193. **No political subdivision shall have  
36 any prohibition on the sale of intoxicating liquor within the scope of employment by  
37 persons found guilty of any felony offense that is more restrictive than the prohibitions  
38 set forth in sections 311.191 and 311.193. Any prohibition in effect upon the effective  
39 date of this section shall be invalid and void.**

313.220. 1. The commission shall promulgate such rules and regulations governing  
2 the establishment and operation of a state lottery as it deems necessary and desirable to fully  
3 implement the mandate of the people expressed in the approval of the lottery amendment to  
4 Article III of the Missouri Constitution. Such rules and regulations shall be designed so that a  
5 lottery may be initiated at the earliest feasible and practicable time. No rule or portion of a  
6 rule promulgated under the authority of this chapter shall become effective unless it has been  
7 promulgated pursuant to the provisions of section 536.024.

8 2. The commission shall have the authority to require a fingerprint background check  
9 on any person seeking employment or employed by the commission, any person seeking  
10 contract with or contracted to the commission and any person seeking license from or  
11 licensed by the commission. The background check shall include a check of the Missouri  
12 criminal records repository and when the commission deems it necessary to perform a  
13 nationwide criminal history check, a check of the Federal Bureau of Investigation's criminal  
14 records file. Fingerprints shall be submitted to the Missouri criminal records repository as  
15 required. Notwithstanding the provisions of section 610.120, the commission shall have  
16 access to closed criminal history information when fingerprints are submitted. The

17 commission shall not prohibit a person from participating in the sale of lottery tickets solely  
18 on the basis of the person being found guilty of any criminal offense; except that, the person  
19 shall not be eligible to be a licensed lottery game retailer under subsection 2 of section  
20 313.260. **No political subdivision shall prohibit a person from participating in the sale of**  
21 **lottery tickets solely on the basis of the person being found guilty of any criminal**  
22 **offense; except that, the person shall not be eligible to be a licensed lottery game retailer**  
23 **under subsection 2 of section 313.260.**

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