

**Title 11--DEPARTMENT OF PUBLIC SAFETY  
Division 45--Missouri Gaming Commission  
Chapter 12--Liquor Control**

**PROPOSED AMENDMENT**

**11 CSR 45-12.020 Excursion Liquor License and [Premises Defined] Definitions.** The commission is amending the Purpose and sections (1), (2), and (4), and deleting section (3).

*PURPOSE: This amendment changes the title, adds definitions of liquor, original package, and wine, addresses the sale of bottled wine, and updates the class designation.*

*PURPOSE: This rule provides definitions and establishes requirements for excursion liquor licenses.*

(1) As used in this chapter, the following terms mean:

(A) "Excursion liquor licensee," any Class [A] B applicant or licensee who has been issued an excursion liquor license which authorizes the Class [A] B applicant or licensee to serve, offer for sale or sell intoxicating liquor aboard any excursion gambling boat or facility immediately [adjacent to and contiguous with] **neighboring** the excursion gambling boat which is owned and operated by the Class [A] B applicant or licensee; [and]

(B) "Licensed premises," any and all property owned and operated by the Class [A] B applicant or licensee immediately [adjacent to and contiguous with] **neighboring** its riverboat gaming operation as defined in 11 CSR 45-1.090. 11 CSR 45-12.091 to the contrary notwithstanding, hotel guest rooms are not considered to be on the licensed premises[.];

(C) "**Liquor,**" any beverage containing alcohol in excess of one-half of one percent (.5%) by volume including, but not limited to, beer, malted liquor, wine, brandy, and distilled liquors;

(D) "**Original package,**" any package containing three (3) or more standard bottles or cans of malt liquor, fifty (50) milliliters (1.7 ounces) or more of spirituous liquors and one hundred (100) milliliters (3.4 ounces) or more of vinous liquors in the manufacturer's original container. A standard bottle is any bottle or can containing sixteen (16) ounces or less of malt liquor; and

(E) "**Wine,**" a vinous liquor produced by fermentation of juices of grapes, berries, or other fruits or a preparation of certain vegetables by fermentation, and containing alcohol not in excess of twenty-two percent (22%) by volume.

(2) An excursion liquor license shall be a license granted for a one (1)-year term by the commission for sale of intoxicating liquor by the drink at retail for consumption on the licensed premises, and the sale of intoxicating liquor in the original package at locations specifically indicated on the license for consumption off the licensed premises. **The excursion liquor license authorizes the Class B licensee to sell bottles of wine in areas off the gaming floor for consumption on the premises with a meal.**

(3) *[The sale of any intoxicating liquor except malt liquor, in the original package, in any quantity less than fifty (50) milliliters shall be deemed sale by the drink, and once so made, the container and every case shall be emptied and its contents served as other intoxicating liquor served or sold by the drink.]*

*[(4)] An excursion liquor license may be issued to only Class [A] B licensees.*

*AUTHORITY: sections 313.004 [and 313.805], RSMo 2000 and sections 313.805 and 313.840, RSMo Supp. [2006] 2014. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed June 14, 1994, effective June 24, 1994, expired Oct. 21, 1994. Emergency amendment filed Oct. 25, 1994, effective Nov. 4, 1994, expired March 3, 1995. Amended: Filed June 14, 1994, effective Jan. 29, 1995. Amended: Filed May 13, 1998, effective Oct. 30, 1998. Amended: Filed Aug. 30, 2006, effective March 30, 2007. Amended: Filed January 14, 2016*

*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 OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, March 29, 2016, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*