

LIQUOR:

If an individual is convicted of supplying intoxicating liquor to a minor, there is no violation of § 311.060 RSMo or Regulation 11 CSR 70-2.140(13).

October 18, 1979

OPINION NO. 178

Mr. F. M. Wilson, Director  
Department of Public Safety  
621 East Capitol Avenue  
Jefferson City, Missouri 65101



Dear Mr. Wilson:

This opinion is issued in response to your request for a ruling on the following question:

If an individual is convicted (pursuant to Section 311.310, RSMo, 1978) of supplying intoxicating liquor to a minor, is he/she disqualified from holding a liquor license pursuant to Section 311.060, RSMo 1978, and disqualified from employment pursuant to Regulation 11 CSR 70-2.140 (13)?

Section 311.060 RSMo 1978 provides in pertinent part:

. . . no person shall be granted a license or permit hereunder . . . who has been convicted . . . of a violation of the provisions of any law applicable to the manufacture or sale of intoxicating liquor.

Regulation 11 CSR 70-2.140(13) provides in pertinent part:

No licensee shall employ on or about the licensed premises any person who has been convicted . . . of a violation of the provisions of any law applicable to the manufacture or sale of intoxicating liquor.

Both of these prohibitions are founded on a conviction for "the manufacture or sale" of intoxicating liquor. Contrastively, your question concerns a conviction for supplying intoxicating liquor to a minor. A conviction for the supply of intoxicating liquor to a minor is distinct from a conviction for selling intoxicating liquor to a minor.

CONCLUSION

It is the opinion of this office that, if an individual is convicted of supplying intoxicating liquor to a minor, there is no violation of § 311.060 RSMo or Regulation 11 CSR 70-2.140(13).

The foregoing opinion, which I hereby approve, was prepared by my Assistant, James R. Cumbee.

Sincerely,

A handwritten signature in black ink that reads "John Ashcroft". The signature is written in a cursive style with a long, sweeping horizontal line at the end.

JOHN ASHCROFT  
Attorney General