

LIQUOR CONTROL ACT: County Court may charge for licenses issued to retail dealers.

3-13

March 10, 1934.



Hon. William H. Bray,
County Counselor,
County Court of St. Louis Co.,
Clayton, Missouri.

Dear Sir:

This department is in receipt of your letter of March 2, 1934 requesting an opinion as to the following state of facts:

"The County Court as well as myself are in a quandary relative to their rights under the Liquor Control Bill, of the State of Missouri, as to what amount they can collect as their share of the tax.

We were informed that you had already written an opinion for various counties and take this means of asking whether or not you would advise us as to what, in your opinion, we can legitimately charge the various liquor stores in our county."

I.

The County Court may charge for licenses issued to retail dealers.

Section 24 of the Liquor Control Act provides:

"The County Court in each county is hereby authorized to make a charge for licenses issued to retail dealers in all intoxicating liquor, the charge in each instance to be determined by the County Court, by order of record, but said charge shall in no event exceed the amount provided for in Section 22 of this act, for state purposes."

Hon. William H. Bray

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March 10, 1934.

It will be noticed that the only power given to the County Court is to make a charge for licenses issued to retail dealers. The Court is not authorized by the Act to license wholesale dealers or distillers, manufacturers or brewers.

While the Court is authorized to make a charge for licenses, the charge may not exceed the amount provided for in Section 22 of the Act for state purposes.

Respectfully submitted,

JOHN W. HOFFMAN, Jr.,
Assistant Attorney General

APPROVED:

ROY McKITTRICK,
Attorney General

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