

Nick Jordan, Secretary  
Dean Reynoldson, Director

Sam Brownback, Governor

## 2013 AMENDMENTS TO KANSAS LIQUOR LAWS

The 2013 Legislature passed Senate Substitute for House Bill 2199 which amends the liquor control act, the club and drinking establishment act, and the liquor drink tax act. Governor Brownback signed the bill into law on May 30, 2013 and it will go into effect on July 1, 2013.

Following are the changes made by the bill:

### **Samples: Drinking Establishment, Class A Club, and Class B Club**

- May serve up to five samples of free alcoholic liquor to any customer during any one visit.
- May not charge a cover fee or any other kind of fee on the entire business day if they want to serve samples that day.
- A sample is defined as a serving of alcoholic liquor which contains not more than: (A) One-half ounce of distilled spirits; (B) one ounce of wine; or, (C) two ounces of beer or cereal malt beverages. A sample of a mixed alcoholic beverage shall contain not more than one-half ounce of distilled spirits.
  - If samples are served, the licensee must report and remit liquor drink tax on the acquisition cost of the liquor served.
  - Only the licensee's owner, agent or employee; a supplier's owner, agent or employee can serve free samples.
  - Distributors may not be involved in the pouring or serving of samples.
  - All liquor used for sampling must come from the Club's or DE's inventory.

### **Samples: Retailers**

Allows retailers of alcoholic liquor to prepare and mix samples on their licensed premise.

### **Administrative Notices/Orders**

The ABC will have 90 days from the date the citation was issued for a violation of the Liquor Control Act and/or the Kansas Club and Drinking Establishment Act to issue a Notice of Administrative Action with proposed penalty.

### **Non Profit Events Promoting the Arts**

- Non-licensed businesses can serve free alcoholic liquor to members of the general public during events sponsored by a non-profit organization supporting the arts if the event is approved by the local government.
- The ABC Director must be notified at least 10 days prior to the scheduled event.

### **Employees Qualifications for Dispensing/Selling/Serving Alcohol**

- Permits the employment of any person that has been convicted of up to three alcohol related violations in the last five years; or,
- Up to two furnishing of alcohol to minors violations in five years.
- Felons of any type are still prohibited.

**Pitchers**

Allows on-premise licensees to sell and serve margaritas, sangria, daiquiri, and mojitos in pitchers no larger than 64 fluid ounces to two or more customers.

**Hotel Drink Coupons**

Allows hotels to offer “free” drinks to their guests, via drink tickets or coupons redeemable at either the hotel’s bar or a local private club or Drinking establishment.

**Drink Price List**

Removes the requirement for an on-premise establishment to maintain a drink price list.

The ABC will be promulgating regulations implementing the provisions of Senate Substitute for House Bill 2199. Proposed regulations and notice of public hearing will be published in the Kansas Register. Persons wishing to provide comment on the proposed regulations should check the Kansas Register regularly to locate the allowed public comment period.

Senate Substitute for House Bill 2199 can be viewed in its entirety on the Kansas Legislature’s web page at [http://www.kslegislature.org/li/b2013\\_14/asures/bills/](http://www.kslegislature.org/li/b2013_14/asures/bills/)

**ABC SYSTEMS UPGRADE ANNOUNCEMENT**

The ABC has contracted with a vendor to provide a new software system which will allow on-line license applications beginning in late 2014. We will provide more information as the system develops.

**FACEBOOK**

ABC has recently launched a Facebook page to help keep you informed. We will be posting current news and helpful information. To view our page, go to: <https://www.facebook.com/KansasAlcoholicBeverageControl>



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Alcoholic Beverage Control