

**KANSAS DEPARTMENT OF REVENUE
LIQUOR FINE AND PENALTY SCHEDULE
July 16, 2012**

Category	Violation	K.S.A.	K.A.R.	Penalty
1 Serious or Disqualifying	Acting as an agent of another	41-311(a) 41-901(a) 41-2623(a)	14-13-2(c) 14-19-16 14-20-16(a) 14-21-3(a) 14-22-3(a) 14-23-3	<p>The Director shall choose one of the following penalties:</p> <ul style="list-style-type: none"> • \$1000 fine • License Revocation • \$1000 fine and revocation • Indefinite Suspension
	Denying immediate entry to any law enforcement agent or officer	41-2613	14-13-13(d) 14-14-11(d) 14-19-27(c) 14-20-29(c) 14-21-12(c)	
	Knowingly employing a person with a disqualifying conviction	41-2610(b) 41-2610(c) 41-308a(g) 41-308b(g) 41-353(f) 41-713	14-13-5(c) 14-19-24(b) 14-20-26(b) 14-21-9(b) 14-22-9(b) 14-23-7(d) 14-23-7(e)	
	Failing to maintain food requirements	None	14-21-6(b)	
	Employing manager who would not qualify for license	None	14-13-14(d)	
	Giving false information or statements to the Alcoholic Beverage Control Division	41-901(a) 41-2611(a)	None	
	Having a conflicting interest	41-311(a) 41-311(b) 41-311(f) 41-312 41-2623(a)	14-13-2(c) 14-14-2(d) 14-19-16(a) 14-19-16(b) 14-19-16(c) 14-19-16(e) 14-20-16(a) 14-20-16(e) 14-21-3(a) 14-21-3(b) 14-22-3(a) 14-22-3(b) 14-23-3	

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1 Serious or Disqualifying	Operating while ineligible for licensure	41-311 41-2623 41-313	None	The Director shall choose one of the following penalties: <ul style="list-style-type: none"> • \$1000 fine • License Revocation • \$1000 fine and revocation • Indefinite Suspension
	Transferring license to another person or entity	41-326 41-2629 41-2636	None	
	Delivering or selling alcoholic liquor for resale to a person not authorized to receive such delivery	41-709(a)	14-13-9(d)	
	Sell in federal area	41-329(a)	None	
	Licensee has disqualifying conviction	41-311(a) 41-2623	14-13-2(c) 14-19-16 14-20-16(a) 14-20-16(b) 14-21-3(a) 14-21-3(b) 14-22-3(a) 14-22-3(b) 14-23-3	
	Operating under suspension	None	14-16-22	
2 Underage Public Safety	Indirect selling to a minor	None	14-13-13(m)	Offense 1 \$500 per minor
	Permitting consumption or possession on the licensed premises by a minor	41-2615(a)	None	Offense 2 \$750 per minor
	Selling, giving, delivering, or furnishing alcoholic liquor to a minor	None	14-13-13(m) 14-11-23(a) 14-11-28	Offense 3 \$1000 per minor
				Offense 4 \$1000 per minor Suspension of 2 weekend days (Friday and Saturday)
			Offense 5 \$1000 per minor Suspension of 4 weekend days (Friday and Saturday)	
			Offense 6 \$1000 per minor Suspension of 7 consecutive days (Days to be determined by the director)	
			Offense 7 \$1000 per minor Suspension of 14 consecutive days (Days to be determined by the director)	
			Offense 8 \$1000 per minor License revocation	

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3 Public Safety	Allowing a disorderly person to remain on the premises	41-2611(e)	None	Offense 1 \$300 per count
	Allowing an intoxicated person to remain on the premises	None	14-13-13(j)	Offense 2 \$500 per count
	Intoxication of a licensee's manager or employee while on duty	41-2611(d)	14-13-13(j)	Offense 3 \$750 per count
	Allowing any drinking contest or game	41-2640(a)	None	Offense 4 \$1000 per count Suspension of 2 weekend days (Friday and Saturday)
	Offering free drinks	41-2640(a)	None	Offense 5 \$1000 per count Suspension of 4 weekend days (Friday and Saturday)
	Offering unlimited drinks for fixed price	41-2640(a)	None	
	Selling below cost	41-729(a) 41-2640(a)	None	Offense 6 \$1000 per count Suspension of 14 consecutive days (Days to be determined by the director)
Selling to a person incapacitated by the consumption of liquor	41-715(a) 41-2611(f)	None	Offense 7 \$1000 per count License Revocation	
4 Morals	Any morals charge, as defined in K.S.A. 41-2601(n), on the licensed premises	41-2611(f)	14-19-35(f) 14-20-37(e) 14-21-20(e) 14-22-20(e) 14-23-15(e)	The director shall choose one of the following penalties: <ul style="list-style-type: none"> • \$1000 fine • Suspension (duration to be determined by director) • \$1000 fine and a suspension (duration to be determined by director) • License Revocation

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5 Operational	Allowing access by a non-member	41-2637(a) 41-2641(a)	14-19-21(a) 14-20-21(a)	Offense 1 \$300 per count
	Permitting access to a person who is not a valid guest of a member as defined by K.A.R. 14-19-14(h) or K.A.R. 14-20-14(h)	41-2637(a) 41-2641(a)	14-19-21(a) 14-20-21(a)	Offense 2 \$500 per count Offense 3 \$1000 per count
	Violating club membership regulations	41-2641(c) 41-2639	14-20-25	Offense 4 \$1000 per count Suspension of 2 weekend days (Friday and Saturday)
	Selling or allowing removal of liquor from the premises liquor outside legal hours	41-712 41-308a(d) 41-308b(c) 41-353(c)	14-13-13(f)	Offense 5 \$1000 per count Suspension of 4 consecutive days (Days to be determined by the director)
	Engaging in prohibited trade practice	41-341 41-1101 41-2632(b) 41-702(b) 41-703	14-10-11 14-10-17 14-13-13(b) 14-13-13(c) 14-13-13(g) 14-13-13(l) 14-14-11	Offense 6 \$1000 per count Suspension of 7 consecutive days (Days to be determined by the director) Offense 7 \$1000 per count License Revocation
	Employing any person who is a licensed distributor, an employee of a licensed distributor, or a spouse of a licensed distributor	None	14-13-5(c) 14-19-24(b) 14-20-26(b) 14-21-9(b) 14-22-9(b)	OR Other penalty to be determined by the Director
	Being open to the public without prior approval	None	14-19-36(a) 14-20-38(a)	
	Employing a retailer	None	14-19-24(b) 14-20-26(b) 14-21-9(b) 14-22-9(b)	
	Serving or allowing consumption of any cereal malt beverage on the licensed premises outside legal hours	41-2704 41-2614	None	
	Serving, mixing or allowing the consumption of any alcoholic liquor on the licensed premises after legal closing hours	41-2614(a) 41-2614(b) 41-308a(d) 41-308b(c) 41-353(c)	14-13-16(c)	
	Improper delivery by a retailer	None	14-13-9(a)	
	Selling or delivering liquor to unlicensed premises	41-701	14-13-9(a)	
	Selling to a county not adjacent to the licensed premises	41-308(a)	None	
	Delivering liquor outside legal hours	None	14-13-9(a) 14-13-13(f)	

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Category	Violation	K.S.A.	K.A.R.	Penalty	
5 Operational	Sell alcoholic liquor in glass containers at public venues	41-2640(b)	None	Offense 1 \$300 per count	
	Sell or serve more than two drinks at a time to any one customer at Public venues	41-2640(b)	None	Offense 2 \$500 per count	
	Sell or serve alcoholic beverages exceeding legal limit on size or alcohol content	41-2601(l) 41-2640(a)	None	Offense 3 \$1000 per count	
	Allowing entertainment or gambling on the RLS premises	41-308(c)	14-13-13(a)	Offense 4 \$1000 per count Suspension of 2 weekend days (Friday and Saturday)	
	Allowing members to warehouse alcohol	None	14-19-28(b) 14-20-30(b) 14-21-13(b)		
	Allowing open container on premises	None	14-11-6 14-13-13(h)	Offense 5 \$1000 per count Suspension of 4 consecutive days (Days to be determined by the director)	
	Employing a person who does not meet the age requirement		41-713	14-13-5(c)	Offense 6 \$1000 per count Suspension of 7 consecutive days (Days to be determined by the director)
			41-2610(a)	14-19-24(b)	
			41-2610(g)	14-20-26(b)	
			41-308a(g)	14-21-9(b)	
			41-308b(g)	14-22-9(b)	Offense 7 \$1000 per count License Revocation
			41-353(f)	14-23-7	
	Comingling liquor inventory with another licensee	None	14-13-14(d)	OR Other penalty to be determined by the Director	
	Mixing any substance with liquor on retail premises	41-713	14-13-16(i)		
Buying on credit from any distributor	41-702(a)	14-13-13(n)			
Selling on credit	41-717 41-728(a)	14-13-13(n)			
Refilling original containers		41-718	14-13-13(q)		
			14-19-28(a)		
			14-20-30(a)		
			14-21-13(a)		
Acting in violation of the rights of a license		41-305 41-306 41-306a 41-307 41-308 41-308a 41-308b 41-353 41-2637 41-2641 41-2642 41-2643 41-2645 41-2655	None		

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Category	Violation	K.S.A.	K.A.R.	Penalty	
5 Operational	Permitting the removal from the licensed premises of alcoholic liquor or cereal malt beverage sold by the licensee, without having properly re-sealed and packaged the container.	41-2653(a) 41-2637(a) 41-2641(a) 41-2642(a)	14-19-27(e)	Offense 1 \$300 per count	
			14-19-27(f)		
			14-20-29(e)		Offense 2 \$500 per count
			14-20-29(f)		
	Acquire liquor from unauthorized source	41-2610(e) 41-708	14-21-12(e)	Offense 3 \$1000 per count	
			14-21-12(f)		
			14-22-13	Offense 4 \$1000 per count Suspension of 2 weekend days (Friday and Saturday)	
			14-23-10		
			14-19-25(a)	Offense 5 \$1000 per count Suspension of 4 consecutive days (Days to be determined by the director)	
			14-19-25(c)		
			14-19-25(d)	Offense 6 \$1000 per count Suspension of 7 consecutive days (Days to be determined by the director)	
			14-20-27(a)		
14-20-27(c)			Offense 7 \$1000 per count License Revocation		
14-20-27(d)					
14-21-10(a)	OR Other penalty to be determined by the Director				
14-21-10(c)					
14-21-10(d)					
14-22-10(a)					
14-22-10(c)	41-308d	14-13-16			
14-22-10(d)		14-13-17			
Unauthorized activity relating to retailer tasting events	None	14-13-13(k)			
Allowing another to use the licensed premises	41-308(a) 41-308d	14-13-13(i)			
Allowing consumption on or about the RLS premises, except for product samples	None	14-19-29(b)			
Selling CMB without a CMB license		14-20-31(b)			
		14-21-14(b)			
		14-22-6(g)			
		14-23-5(c)			
Providing or selling anything of value other than alcoholic liquor.	41-308(b)	14-13-16(g)			
Unlawful sale of domestic wine at a farmer's market	41-351	14-11-24			
Commingling the operation and sales of a manufacturer and a farm winery	41-305	14-11-25			
Failing to maintain customer wine storage area in accordance with law	41-2637(c) 41-2641(e) 41-2642(e)	14-19-27 14-20-29 14-21-12			

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Category	Violation	K.S.A.	K.A.R.	Penalty
6 Tax Compliance	Failure to timely file and/or pay liquor enforcement, liquor drink or gallonage taxes, penalty, interest or any combination.	79-4102	92-24-14	Offense 1 \$250 per tax period
		79-41a02	14-11-23	Offense 2 \$500 per tax period
		79-4103	14-11-24	
		79-41a03	14-11-25	Offense 3 \$1000 per tax period
		41-501		Offense 4 \$1000 per tax period License Revocation

Category	Violation	K.S.A.	K.A.R.	Penalty	
7 Administrative	Failing to submit required reports	41-601	14-11-29(b)	Offense 1 \$200 per count	
			14-13-10(c)	Offense 2 \$400 per count	
	14-13-13(o)				
	14-14-8(d)				
	Fail to conspicuously post sign that drink prices include retail liquor excise tax	None	92-24-13	Offense 3 \$600 per count	
	Failing to keep a membership roster on the licensed premises	41-2610(d)	14-19-22 14-20-22	Offense 4 \$800 per count	
	Failing to display the state license	41-325 41-2612	14-19-37 14-20-39	Offense 5 \$1000 per count	
	Failing to notify director of possession of a cereal malt beverage license	None	14-19-29(a) 14-20-31(a) 14-21-14(a)	Offense 6 \$1000 per count	Suspension of 1 weekday (Monday - Thursday)
				Offense 7 \$1000 per count	Suspension of 2 weekdays (Monday - Thursday)
				Offense 8 \$1000 per count	Suspension of 2 weekend days (Friday and Saturday)
Offense 9 \$1000 per count				Suspension of 4 weekend days (Friday and Saturday)	
Offense 10+ \$1000 per count	Suspension of 7 consecutive days (To be determined by the Director)				

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Category	Violation	K.S.A.	K.A.R.	Penalty		
7 Administrative	Failing to retain the required records	41-602	14-10-12	Offense 1 \$200 per count		
			14-13-10(d)	Offense 2 \$400 per count		
			14-13-10(e)			
			14-13-13(o)	Offense 3 \$600 per count		
			14-13-16(k)			
			14-13-17(f)	Offense 4 \$800 per count		
			14-14-8(e)			
			14-14-9	Offense 5 \$1000 per count		
			14-14-10(b)			
			14-19-25(e)	Offense 6 \$1000 per count	Suspension of 1 weekday	(Monday - Thursday)
			14-19-25(g)			
			14-20-27(e)	Offense 7 \$1000 per count	Suspension of 2 weekdays	(Monday - Thursday)
			14-21-10(e)			
14-21-10(g)	Offense 8 \$1000 per count	Suspension of 2 weekend days	(Friday and Saturday)			
14-22-6(h)						
14-22-10(e)	Offense 9 \$1000 per count	Suspension of 4 weekend days	(Friday and Saturday)			
14-22-10(g)						
14-23-8(d)	Offense 10+ \$1000 per count	Suspension of 7 consecutive days	(To be determined by the Director)			
Failing to register any brand or label with the director	41-331(b)	14-11-26				
Failing to pay brand/label fee	41-331(b)	None				
Failing to post a temporary permit	None	14-23-5(b)				
Failing to adequately define the boundary of the temporary event premises	41-719(a) 41-2645(e)	14-23-10(b)				
Failing to provide a current drink price list	41-2640(e)	None				
Storing alcoholic liquor off the licensed premises	None	14-13-9(e)				
		14-19-27(a)				
		14-20-29(a)				
		14-21-12(a)				
Maintaining an inside entrance	41-711	14-13-2(b)				
Failing to obtain or display a federal wholesale permit	None	14-13-9(a)				
Failing to provide invoices	None	14-13-10(b) 14-13-17(c)				

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Category	Violation	K.S.A.	K.A.R.	Penalty		
7 Administrative	Failing to tag kegs	41-2905(a)	14-15-2(a)	Offense 1	\$200 per count	
	Failing to tag kegs - CMB	41-2906(a)	14-15-2(a)			
	Failing to record and/or maintain keg registration records	41-2905(a)	14-15-2(d) 14-15-2(g)	Offense 2	\$400 per count	
				Offense 3	\$600 per count	
	Failing to record and/or maintain keg registration records – CMB	41-2906(a)	14-15-2(d) 14-15-2(g)	Offense 4	\$800 per count	
	Extending premises without approval by the Director	41-2645(e)	14-19-39 14-20-41 14-21-21	Offense 5	1000 per count	
	Moving location of licensed premises without approval by the Director	41-315 41-2627	14-13-6	Offense 6	1000 per count	Suspension of 1 weekday (Monday - Thursday)
	Failing to notify the director within 10 days of a catered event	41-2643(d)	14-22-6(b)	Offense 7	\$1000 per count	Suspension of 2 weekdays (Monday - Thursday)
	Failing to display a caterer’s license or other required information	None	14-22-6(f)	Offense 8	\$1000 per count	Suspension of 2 weekend days (Friday and Saturday)
	Failing to properly notify local law enforcement of a catered event	41-2643(d)	14-22-6(c) 14-22-6(d) 14-22-6(e)	Offense 9	\$1000 per count	Suspension of 4 weekend days (Friday and Saturday)
	Employing a manager without notifying Director	None	14-13-14(c)	Offense 10+	\$1000 per count	Suspension of 7 consecutive days (To be determined by the Director)
	Failing to pay the local license or occupation tax	41-2622 41-310(j) 41-310(l)	14-13-4(a) 14-19-32 14-20-34 14-21-17			