

2017 AMENDMENTS TO KANSAS LIQUOR LAWS

The 2017 Legislature passed the following bills that amend the liquor control act, club and drinking establishment act and the cereal malt beverage act.

Substitute for House Bill 2277

Common Consumption Areas

Effective July 1, 2017 a city or county may establish one or more common consumption areas by ordinance or resolution to authorize the possession and consumption of alcoholic liquor within the designated area. Any licensee located immediately adjacent to or located within the common consumption area may request to participate and allow the licensee's legal patrons to exit the premises with their alcoholic beverage provided the container displays the licensee's trade name, logo or other identifying mark that is unique to the licensee.

Common consumption areas must be marked by a physical barrier or apparent line of demarcation.

Class B Clubs

Effective July 1, 2017 the 10 day waiting period is removed for new members of a class B club.

Beer Distributors

Effective January 1, 2017 beer distributors will be able to establish a reasonable minimum orders for Cereal Malt Beverage (CMB) and beer products.

House Substitute for Senate Bill 13

Retailer and CMB Licensees

Effective April 1, 2019 CMB licensees will be authorized to sell beer up to 6% alcohol by volume. The director of ABC has oversight over the sale of beer up to 6% alcohol by volume by CMB licensees to ensure an orderly market. CMB licensees may request permission from the director of ABC to sell CMB or beer below acquisition cost under certain circumstances. Rules and regulations must be promulgated by the director on or before July 1, 2018.

Retailers will also be allowed to sell CMB and any other goods and services not to exceed 20% of the retailer's total gross sales. Sales from lottery tickets, cigarette and tobacco products are excluded.

The director of ABC must present a market study to the legislature prior to the adjournment of the 2029 legislative session which includes changes subsequent to the effective date. The study must include the number of retailer licensees, the number of persons licensed to sell CMB, impact on state and local tax revenues, the impact on employment and any other factors determined by the director along with the reasons for any changes.

Senate Bill 65

Creditors

Effective upon publication in the statute book, creditors who are lawfully entitled to alcoholic liquors that were pledged as collateral for a loan may request permission from the director of ABC to take possession of such alcoholic liquors and sell to a valid liquor licensee to satisfy any debt owed to the creditor. Proceeds in excess of the debt will be returned to the debtor.

The full text of each bill may be viewed at <http://www.kslegislature.org/li/>

ABC handbooks for licensees will be updated. Please visit our website for an updated version at <https://www.ksrevenue.org/abchandbooks.html>

A handwritten signature in cursive script that reads "Debbi Beavers".

Debbi Beavers, Director
Kansas Alcoholic Beverage Control Division