

SESSION OF 2003

**SUPPLEMENTAL NOTE ON
HOUSE SUBSTITUTE FOR SENATE BILL NO. 2**

As Amended by House Committee of the Whole

Brief*

House Sub. for SB 2 amends several sections of the Kansas Liquor Control Act (Act) to make the Act uniformly applicable to all cities and counties. The bill also includes new language concerning licensed retail liquor stores to allow such stores to operate unless the city governing body or a majority of qualified electors votes to "opt out" of the licensing provision within 60 days after the effective date of SB 2.

The House Committee of the Whole amended the bill to:

- ! Allow the sale of alcoholic liquor and cereal malt beverage on Sunday between the hours of 12:00 Noon and 8:00 p.m. in those counties where such sales have been approved by the county commission or by an election by the voters.

- ! Allow the direct shipment of wines, not otherwise available in the state, from a person licensed by another state to sell wine, into Kansas retail liquor stores for sale to a Kansas purchaser who is 21 or more years of age.

The original version of SB 2 concerned the current law regarding terms of members of the Kansas Agriculture Remediation Board and the University of Kansas Hospital Authority.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/kldr>

Background

The Director of Alcoholic Beverage control (ABC) requested that the House Committee introduce legislation to make the Kansas Liquor Control Act uniformly applicable to all cities and counties. This request was in response to a recent court decision in Wyandotte County which held that the Act was not uniform, and, thus, local units of government were free to charter out of the provisions of the act. Two local units in Wyandotte County had chartered out of the Sunday sales prohibition and were allowing retail liquor stores to sell alcoholic liquor on Sundays.

The fiscal note on the original bill is not relevant to the amended version of SB 2.