

## HOUSE BILL No. 2482

By Committee on Commerce, Labor and Economic Development

1-17

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1 AN ACT concerning alcoholic beverages; relating to the hours of sale of  
2 alcoholic liquor by the drink; amending K.S.A. 2017 Supp. 41-2614  
3 and 41-2640 and repealing the existing sections.  
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2017 Supp. 41-2614 is hereby amended to  
7 read as follows: 41-2614. (a) Except as provided by subsection (c), no  
8 public venue, club or drinking establishment shall allow the serving,  
9 mixing or consumption of alcoholic liquor on its premises between the  
10 hours of 2:00 a.m. and ~~9:00~~ 6:00 a.m. on any day.

11 (b) No caterer shall allow the serving, mixing or consumption of  
12 alcoholic liquor between the hours of 2:00 a.m. and 6:00 a.m. on any day  
13 at an event catered by such caterer.

14 (c) A hotel of which the entire premises are licensed as a drinking  
15 establishment or as a drinking establishment/caterer may allow at any time  
16 the serving, mixing and consumption of alcoholic liquor and cereal malt  
17 beverage from a minibar in a guest room by guests registered to stay in  
18 such room, and guests of guests registered to stay in such room.

19 Sec. 2. K.S.A. 2017 Supp. 41-2640 is hereby amended to read as  
20 follows: 41-2640. (a) No club, drinking establishment, caterer or holder of  
21 a temporary permit, nor any person acting as an employee or agent thereof,  
22 shall:

23 (1) Offer or serve any free cereal malt beverage or alcoholic liquor in  
24 any form to any person;

25 (2) offer or serve to any person an individual drink at a price that is  
26 less than the acquisition cost of the individual drink to the licensee or  
27 permit holder;

28 (3) sell, offer to sell or serve to any person an unlimited number of  
29 individual drinks during any set period of time for a fixed price, except at  
30 private functions not open to the general public or to the general  
31 membership of a club;

32 (4) encourage or permit, on the licensed premises, any game or  
33 contest which involves drinking alcoholic liquor or cereal malt beverage or  
34 the awarding of individual drinks as prizes;

35 (5) sell, offer to sell or serve free of charge any form of powdered  
36 alcohol, as defined in K.S.A. 41-102, and amendments thereto; or

1 (6) advertise or promote in any way, whether on or off the licensed  
2 premises, any of the practices prohibited under subsections (a)(1) through  
3 (5).

4 (b) No public venue, nor any person acting as an employee or agent  
5 thereof, shall:

6 (1) Offer or serve any free cereal malt beverage or alcoholic liquor in  
7 any form to any person;

8 (2) offer or serve to any person a drink or original container of  
9 alcoholic liquor or cereal malt beverage at a price that is less than the  
10 acquisition cost of the drink or original container of alcoholic liquor or  
11 cereal malt beverage to the licensee;

12 (3) sell or serve alcoholic liquor in glass containers to customers in  
13 the general admission area;

14 (4) sell or serve more than two drinks per customer at any one time in  
15 the general admission area;

16 (5) encourage or permit, on the licensed premises, any game or  
17 contest which involves drinking alcoholic liquor or cereal malt beverage or  
18 the awarding of drinks as prizes;

19 (6) sell, offer to sell or serve free of charge any form of powdered  
20 alcohol, as defined in K.S.A. 41-102, and amendments thereto; or

21 (7) advertise or promote in any way, whether on or off the licensed  
22 premises, any of the practices prohibited under subsections (b)(1) through  
23 (6).

24 (c) A public venue, club, drinking establishment, caterer or holder of  
25 a temporary permit may:

26 (1) Offer free food or entertainment at any time;

27 (2) sell or deliver wine by the bottle or carafe;

28 (3) sell, offer to sell and serve individual drinks at different prices  
29 throughout any day;

30 (4) sell or serve beer or cereal malt beverage in a pitcher capable of  
31 containing not more than 64 fluid ounces;

32 (5) offer samples of alcohol liquor free of charge as authorized by this  
33 act; or

34 (6) sell or serve margarita, sangria, daiquiri, mojito or other mixed  
35 alcoholic beverages as approved by the director in a pitcher containing not  
36 more than 64 fluid ounces.

37 (d) A hotel of which the entire premises is licensed as a drinking  
38 establishment may, in accordance with rules and regulations adopted by  
39 the secretary, distribute to its guests coupons redeemable on the hotel  
40 premises for drinks containing alcoholic liquor. The hotel shall remit  
41 liquor drink tax in accordance with the provisions of the liquor drink tax  
42 act, K.S.A. 79-41a01 et seq., and amendments thereto, on each drink  
43 served based on a price which is not less than the acquisition cost of the

1 drink.

2 (e) (1) A public venue, club or drinking establishment may offer  
3 customer self-service of wine from automated devices on licensed  
4 premises so long as the licensee monitors and has the ability to control the  
5 dispensing of such wine from the automated devices.

6 (2) The secretary may adopt rules and regulations as necessary to  
7 implement the provisions of this subsection.

8 (f) A hotel of which the entire premises is not licensed as a drinking  
9 establishment may, in accordance with rules and regulations adopted by  
10 the secretary, through an agreement with one or more clubs or drinking  
11 establishments, distribute to its guests coupons redeemable at such clubs or  
12 drinking establishments for drinks containing alcoholic liquor. Each club  
13 or drinking establishment redeeming coupons issued by a hotel shall  
14 collect from the hotel the agreed price, which shall be not less than the  
15 acquisition cost of the drink plus the liquor drink tax for each drink served.  
16 The club or drinking establishment shall collect and remit the liquor drink  
17 tax in accordance with the provisions of the liquor drink tax act, K.S.A.  
18 79-41a01 et seq., and amendments thereto.

19 (g) Violation of any provision of this section is a misdemeanor  
20 punishable as provided by K.S.A. 41-2633, and amendments thereto.

21 (h) Violation of any provision of this section shall be grounds for  
22 suspension or revocation of the licensee's license as provided by K.S.A.  
23 41-2609, and amendments thereto, and for imposition of a civil fine on the  
24 licensee or temporary permit holder as provided by K.S.A. 41-2633a, and  
25 amendments thereto.

26 (i) *For purposes of this section, the term "day" means from 6:00 a.m.*  
27 *until 2:00 a.m. the following calendar day.*

28 Sec. 3. K.S.A. 2017 Supp. 41-2614 and 41-2640 are hereby repealed.

29 Sec. 4. This act shall take effect and be in force from and after its  
30 publication in the statute book.