

**SENATE BILL No. 433**

By Committee on Federal and State Affairs

2-13

1 AN ACT concerning alcoholic liquor; relating to the Kansas liquor control  
2 act; club and drinking establishment act; violation of order issued by  
3 director; suspension or revocation of licenses; amending K.S.A. 2019  
4 Supp. 41-320a and 41-2611 and repealing the existing sections.

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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2019 Supp. 41-320a is hereby amended to read as  
8 follows: 41-320a. (a) The director may suspend, involuntarily cancel or  
9 revoke any license issued pursuant to the Kansas liquor control act if, after  
10 notice and an opportunity for a hearing, the director determines that the  
11 licensee has:

12 (1) Fraudulently obtained the license by providing false information  
13 on the application therefor, or at any hearing thereon;

14 (2) violated any of the provisions of the Kansas liquor control act, ~~or~~  
15 any rules or regulations adopted pursuant to such act *or any lawful order*  
16 *issued by the director*; or

17 (3) become ineligible to obtain a license or permit under K.S.A. 41-  
18 311 or K.S.A. 2019 Supp. 41-311b, and amendments thereto.

19 (b) This section shall be a part of and supplemental to the Kansas  
20 liquor control act.

21 Sec. 2. K.S.A. 2019 Supp. 41-2611 is hereby amended to read as  
22 follows: 41-2611. The director may suspend, involuntarily cancel or  
23 revoke any license issued pursuant to the club and drinking establishment  
24 act for any one or more of the following reasons:

25 (a) The licensee has fraudulently obtained the license by giving false  
26 information in the application therefor or any hearing thereon.

27 (b) The licensee has violated any of the provisions of ~~this the club~~  
28 *and drinking establishment act* ~~or~~, any rules or regulations adopted  
29 ~~hereunder~~ *pursuant to such act or any lawful order issued by the director.*

30 (c) The licensee has become ineligible to obtain a license or permit  
31 under this act.

32 (d) The licensee's manager or employee has been intoxicated while  
33 on duty.

34 (e) The licensee, or its manager or employee, has permitted any  
35 disorderly person to remain on premises where alcoholic liquor is sold by  
36 such licensee.

1 (f) There has been a violation of a provision of the laws of this state,  
2 or of the United States, pertaining to the sale of intoxicating or alcoholic  
3 liquors or cereal malt beverages, or any crime involving a morals charge,  
4 on premises where alcoholic liquor is sold by such licensee.

5 (g) The licensee, or its managing officers or any employee, has  
6 purchased and displayed, on premises where alcoholic liquor is sold by  
7 such licensee, a federal wagering occupational stamp issued by the United  
8 States treasury department.

9 (h) The licensee, or its managing officers or any employee, has  
10 purchased and displayed, on premises where alcoholic liquor is sold by  
11 such licensee, a federal coin operated gambling device stamp for the  
12 premises issued by the United States treasury department.

13 (i) The licensee holds a license as a class B club, drinking  
14 establishment or caterer and:

15 (1) Has been found guilty of a violation of article 10 of chapter 44 of  
16 the Kansas Statutes Annotated, and amendments thereto, under a decision  
17 or order of the Kansas human rights commission~~which~~ that has become  
18 final; or

19 (2) such licensee has been found guilty of a violation of K.S.A. 21-  
20 4003, prior to its repeal, or K.S.A. 2019 Supp. 21-6102, and amendments  
21 thereto.

22 (j) There has been a violation of K.S.A. 21-4106 or 21-4107, prior to  
23 their repeal, or K.S.A. 2019 Supp. 21-6204, and amendments thereto, on  
24 premises where alcoholic liquor is sold by such licensee.

25 Sec. 3. K.S.A. 2019 Supp. 41-320a and 41-2611 are hereby repealed.

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