

SESSION OF 2020

SUPPLEMENTAL NOTE ON SENATE BILL NO. 456

As Amended by Senate Committee on Federal
and State Affairs

Brief*

SB 456, as amended, would amend the Kansas Liquor Control Act, the Cereal Malt Beverage (CMB) Act, and statutes concerning local elections authorizing the sale of alcoholic liquor to expand the hours and days during which alcoholic liquor could be sold.

The bill would allow retail sales of alcoholic liquor and CMB in the original package between 10 AM and 8 PM on Sundays, and would allow sales of alcoholic liquor and CMB on Memorial Day, Independence Day, and Labor Day. Current law prohibits the sale of alcohol and CMB before 12 Noon on Sundays and on Memorial Day, Independence Day, and Labor Day.

The bill would also amend statutes related to local governments authorizing sales of alcoholic liquor to reflect these time and date changes, and would specify that a new election would not be required to comply with the Sunday expanded hours of sale authorized by the bill.

Finally, the bill would require any applicant for a retailer's license who had been previously issued a producer's license, obtain approval of their retailer's license application by the board of county commissioners or the Director of the Division of Alcoholic Beverage Control (ABC), Kansas Department of Revenue, as required in current law. [Note: Under KSA 41-355, producer's licenses apply to someone engaged in business as a vineyard with not less than 100 vines of sound,

*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>

ripe grapes or other type of agricultural producer with an annual harvest of 1,000 pounds of other sound, ripe fruits or berries or 100 pounds of honey.]

Background

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of Senator Olson.

In the Senate Committee hearing, Casey's General Stores, Inc.; the Kansas Association of Beverage Retailers; the Kansas Association for Responsible Liquor Laws, Inc.; and the Petroleum Marketers and Convenience Store Association of Kansas appeared in support of the bill. Proponents generally testified that consumers would like to see this change for the added convenience of being able to purchase liquor before events occurring on Sunday afternoons. The proponents also generally supported amendments that would move the time of sale from 9 AM to 10 AM and allow CMB retailers to sell product at the earlier time.

Neutral testimony on the bill was provided by representatives of ABC and the League of Kansas Municipalities. The neutral conferees generally requested clarity on provisions related to local elections concerning the sale of alcoholic liquor and CMB.

No other testimony was provided.

The Senate Committee amended the bill to modify the hours of sale, days of sale, local elections related to the sale of alcoholic liquor, and requirements for retailer's licenses.

According to the fiscal note provided by the Division of the Budget on the bill as introduced, the Department of Revenue has indicated enactment of the bill would have no fiscal effect on state revenues as the costs to update publications required by the bill would be negligible and could be absorbed within existing resources.