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Testimony to the Senate Federal and State Affairs Committee In Opposition to HB2331 Section 1

March 24, 2015

Chairman Ostmeyer and Committee Members,

Our associations are in opposition to the amendments made in the House Committee of the Whole adding Section 1 of HB2331. This provision seems to not have been well thought out. As written, it appears to us this section will authorize the consumption or mixing of drinks in any business establishment in Kansas that is not licensed by the Alcohol Beverage Control. The mixing of drinks would not be by the business but by patrons who bring their own liquor. For example, we do not see any limitations on this to avoid this practice at the local pizza shop, McDonalds, Wendy's, or any other establishment. This proposal appears to literally make any business the private club of the 70's only with no regulation or oversight by either the ABC or local law enforcement.

In the House Committee, the ABC offered a solution to the limited issue of art studios which would allow them to have patron owned alcohol. However, what is currently in section 1 of this bill is not that proposal or anything like it. This proposal has a very high potential of unintended consequences and is likely to make any Kansas business a drinking establishment outside any regulation. This will most likely occur in the many troubling businesses we currently deal with such as strip clubs, massage parlors, and porn shops.

We strongly encourage you to remove section 1 from HB2331.

Ed Klumpp

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